

THE KARAITE JEWS IN ISRAEL

by

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SUMMARY

THE KARAITE JEWS IN ISRAEL.

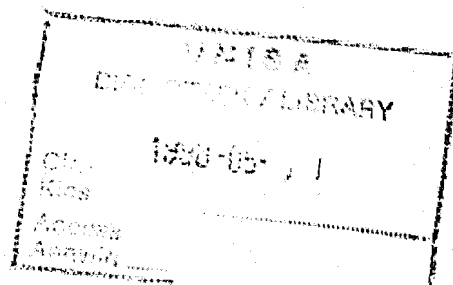
Founded in the eighth Century CE by Anan ben David, the basic tenet of this break-away Jewish sect was that the Bible was the only divine script. Over the ensuing years, a long line of sages consolidated this dictum, establishing a set of rules which at times was even more rigid than the Rabbanite teachings they had rejected.

From the tenth to the twentieth centuries the Karaites were dispersed and persecuted as were their Rabbanite brethren.

By the middle of the 20th century, their largest settlement, a flourishing community in Egypt, came to an end with the eruption of hostilities between Israel and her Arab neighbours. Most of this community settled in Israel where they met with opposition or indifference from the Rabbanite establishment.

This work describes the history of the Karaites, their present situation and the barriers they have overcome in the fulfillment of their special brand of Judaism.

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THE KARAITE JEWS IN ISRAEL.

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The spokesperson of the community in Israel, Mr. Yosef D'vir, who could not understand why a Jewish researcher from the southern tip of Africa was interested in the Karaite Jews, but whose help was readily forthcoming.

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Dr. M. Resnick, of the Department of Semitics at The University of South Africa, who gave such clear advice and comment.

ILLUSTRATIONS

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| facing Introduction | The Karaite Mezuzah (The Ten Commandments) shown with the Rabbanite counterpart. |
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The Karaite Mezuzah (left) shown with a Rabbanite Mezuzah.
In present day Israel many Karaite Jewish homes display both.

INTRODUCTION.

As an undergraduate student at a British university, I read extensively about the Karaite Jews. My selection of this Master's topic was influenced in no small measure by this academic interest which was later compounded by several years of working side by side, in Israel, with a number of members of this fascinating community. In so doing, I became aware of the poignancy of a people who perceive themselves to be Jews, yet, throughout their thousand year history, have repeatedly been denied full recognition of their status. At best they were misunderstood, at worst, rejected.

Although at times in their history, the Karaite Jews were, either by their own choice or by external pressure, completely cut off from the Jewish people, they are today afforded full civic rights by the state of Israel. They pay taxes, vote, serve in the army and are citizens by the law of the Right of Return. However, in matters religious, their path is strewn with obstacles and restrictions such as the fact that the Karaite divorce is still not recognised.

Thus I set about this descriptive, chronological overview as a survey of the travails, both past and present, of the Karaite Jews, up to their present situation in Israel. Many historical treatises have been written about them over the years but little has been done to link their rich heritage with their current lives in Israel. This then I have attempted to do by illustrating the antiquity of this people, their contribution to Jewish history and learning, their yearning for Zion for over a thousand years and their on-going battle with main-stream Judaism.

I have turned frequently to the literary works of the Karaite Jews for my sources of reference as it is in these writings that their lives and aspirations are most clearly portrayed and their innermost feelings expressed. Few early historical accounts are extant (the main being the confusing yet delightful commentary of Benjamin of

Tudela in the twelfth century) until the scholarly 1870 account, *History of the Karaite Jews* by the Rev W.H. Rule.

From the end of this century onwards, many excellent, specialised works have been produced in Europe, the United States and more recently, Israel. This interest in the current century was started by the famous Genizah discovery by Solomon Schechter at the end of the last century, followed by great scholars such as Mann, Nemoy, Ankori, Schur and el-Kodsi. These secondary sources were of great help and inspiration.

This is not a complete work of an ongoing history of a part of the Jewish people. Like the general history of any people there were periods of glory and of eclipse, there were strengths and there were weaknesses. I have tried to portray a representative cross-section of these times. The area of my work had to be limited, as to delve into a history so rich in literary gems, spanning a millennium, and crossing continents, from Persia to Los Angeles, via Constantinople, the Crimea, Egypt and Lithuania, proved too vast a subject for the requirements of this thesis. Consequently there are gaps, known and unknown. Whereas I have touched on many parts of this history, I have left some out altogether such as the situation of the Karaite Jews in the United States, which has not been significantly researched. Other important and interesting areas have, of necessity, been glossed over, or regretfully omitted. For example, I have 'short-changed' the Golden Age of the Karaite poets and writers and excluded the contentious possible linkage between the Karaites and the Khazars, the Falashas and other early Jewish sects.

My aim was to reach the Karaite Jews in Israel, a task which could not be effected without the preceding historical chapters. Without an understanding of their points of origin, their religious philosophy, their often turbulent history and their burning desire to survive, it is well nigh impossible to appreciate the present situation of the Karaite community in Israel. They should not be viewed as just another of the many

colourful 'Edot', the different Jewish groups now living in Israel after an exile of two millennia. They should be seen as 'belonging', but at the same time bearing a sincere message of modification to mainstream Judaism as experienced in Israel, especially today in the changing religio-political balance.

In Chapter One, the origins of the Karaites are reviewed, keeping in mind the age-old controversy of the possibility of pre-Ananite movements of divergence from the establishment of Jewish belief. Throughout Jewish history there has been dissent; from the early times of the revolt of Korach against Moses and Aaron, to the priesthood-prophet conflict, and to the Pharisee-Sadducee viewpoints of Temple times.

Whether or not the Karaite movement had its roots in these historic areas or was a then current dispute of a political or even personal argument of Anan and the leaders of the Exile, is a question, in my opinion, still unanswered.

With the dynamic activity of the Karaites in the pre Sa'adia era, Chapter Two demonstrates that they were fast becoming the leading lights in the world of Jewry. This, inter-alia, prompted Sa'adia to come out against the Karaitic non acceptance of the Talmud, a battle which has continued to this day.

Chapter Three is an historic overview of the spread of Karaism from the times of the Crusaders to the end of the 19th century, and from the lands of the Middle East to the great Karaite centres of Eastern Europe. In this section I have tried to show Karaites in relationships with the people in whose midst they dwelt; how, while in no way diminishing their fervent Zionism, they made attempts to blend in with their host country, in language, dress and where possible, custom.

Chapter Four depicts the two contrasting areas of the Karaite Jews in the 20th century.

On the one hand their tribulations in Europe with the still unexplained conduct of some Karaite groups during the Nazi oppression, whilst on the other hand the flourishing and illustrious Egyptian Karaite Jewry.

The main part of this work is in Chapter Five which gives a summation of the recent history of the Karaite Jews in Israel. Their acceptance into the Israeli way of life is outwardly complete yet when it comes to religious life there is still a gulf between their beliefs and those of the mainstream Israeli religious Orthodox establishment, be it of Ashkenazi or Sepharadi origin. Although some authority has been bestowed upon the community, they are still severely restricted in many ways.

Over the years there have been many debates in the Knesset, the Israeli parliament, some of which I have translated and included in the Appendices. From time to time there have been torch bearers for the Karaite cause in the upper political echelons. At times these have been linked to issues of a wider religious nature, such as the Conservative or Reform movements in Israel, or the aspects of civil marriages. However, the problems of the Karaite Jews are still unresolved in the Israeli legal system.

In order to elucidate the main differences in custom and practice, I have used Chapter Six to outline these areas of divergence. As a detailed comparative analytical study of the two streams of Judaism would be beyond the field of this work, I have presented this as a summary of the main aspects of difference between Karaite and Rabbanite Judaism.

As a result of many hours of discussion with the spokesperson of the World Karaite Jews in Ramleh, Israel I feel that I may have been able, in some small way, to enhance the status of the Karaite Jews now living in Israel. At our first meeting there was an air of caution as they found it difficult to understand why a Rabbanite Jew from the southern tip of Africa found interest in their cause. At subsequent meetings a warm relationship developed and a good deal of information was forthcoming. As a gesture of my intentions I offered to translate the 'Information Brochure' which till then, was only available in Hebrew. This I have included in the appendices.

In this work I have, as mentioned, relied on secondary sources, when available. Apart from wide use of the encyclopaedias, I found the general histories of Graetz, Dubnow and Salo-Baron to be of immense value. When dealing with the history and the literature of the Karaite Jews, the 'classical' writers such as Mann, Nemoy and Ankori are still most vital works. The new genre of writers which include Schur, el-Kodsi and Corinaldi have each made their mark in their own special fields.

The transcript of the Knesset proceedings were difficult to obtain but facilitated by contact with the Hebrew University in Jerusalem. The translation of these documents was an exciting exercise, as I encountered many of the great figures who helped to establish the State of Israel. The high linguistic level at which the Members of Knesset utilised the then embryonic modern Hebrew language, reflected the ancient and Mishnaic tongue, as it was prior to the adoption of many foreign phrases and figures of speech.

I have in all cases used the Augmented Harvard Reference System as required by the Department of Semitics of the Faculty of Arts.

CHAPTER ONE

ORIGINS AND EARLY KARAITE HISTORY.

The Karaites (Q'raim, Ba'ale Miqra, Followers of the Bible) are a Jewish Sect professing in religious observances and opinions, to follow the Bible to the exclusion of rabbinical traditions and laws. However, Karaism adopted parts of rabbinical Judaism, either outright or with modification, while at the same time it borrowed from other Jewish sects such as the Sadducees, Essenes, 'Isawites and the Yudghanites, and possibly also from Islam.

In 1910, Solomon Shechter published Fragments of a Zaddokite Work, which was considered by others as sufficient proof of some relationship between the Sadducean and Karaite sects. There is a widely held belief that the Karaites are descended from the Sadducees, and their traditions are Sadducean. This thesis is offered by Geiger as compiled by Poznanski, (REJ XLIV 1902:169). This view is accepted by Holdheim, (Ma'amar Halshut, Wien 1861), Feurst, (Geschichte die Karaerthums, Leipzig, 1862), Harkavy, (M'korot haKatot b'Yisrael St Petersburg, 1903), and in the Russian journal, Woshod 1896.

In the work by Bernard Revel, Karaite Halakah, (ed Philip Birnbaum, Hermon Press, 1971), the author points out that there is an eclectic nature to the Karaite halakhah, and he traces the Karaite laws to their respective sources. These include the Sadducean codes, halakhah of Philo, and the changes of Jeroboam.

The Essenes, as mentioned above, were a religious communalistic Jewish sect or brotherhood, from the second century BCE to the end of the first century CE. Their main group was located on the northwestern shore of the Dead Sea. The members of the brotherhood lived in monastic communities from which women were excluded.

They lived austere lives, supporting themselves by agriculture and holding everything in common ownership. In religious outlook they were close to the Pharisees. (Encyclopaedia Judaica, 1971, vol 6: 899).

Another source of the origins and the connection to Abu 'Isa al-Isfahani, (known also as Obadiah, who lived in Isfahan in the late 7th century or early 8th century CE), is from al-Kirkisani in his work, History of Jewish Sects, 1:12, Obadiah claimed to be a prophet. This occurred during the reign of Caliph 'Abd al-Malik ibn Marwan, (685-705 CE) with whom he and his followers did battle, placing himself at the head of an armed host of 10 000 Jews. Some of his partisans said that he was not killed, even though nought was heard of him afterwards. According to his faithful, he was an illiterate tailor, yet miraculously his literary output was prolific. (Margolis and Marx, 1927:260).

Yet another connection is made with the Yudghanites, named after the sect's founder, Judah Yudghan (lived about 800 CE) in the Persian town of Hamadan. He was called the 'Shepherd, the pastor of his people' by his followers. He is said to have been a pupil of Abu 'Isa al-Isfahani. He claimed to be the herald of the Messiah and advocated a severe ascetic life-style. Judah's followers, however, said he was the Messiah.

The origins of the Karaite sect are still not fully revealed due to the fact that much of the early Karaite literature is still unpublished or lost. Karaite sources link the birth of their sect with old heterodox movements as far back as the reign of Jeroboam (10th cent BCE), and were represented by such sects as the Sadducees, the Boethusians and the Essenes.

A Karaite claim as to their origins is based on the Beraitha (Kiddushin 66a), where a disagreement between John Hyrcanus (135-106 BCE) and the teachers of the Law, the Pharisees, which led to the persecution of the latter, is recorded. According to Karaite sources, Simon ben Shatah invented the fiction of the Oral Law in addition to the

Written Law from Sinai. The people followed him blindly, but those who knew of the "false basis" of this, rejected the Oral Law and returned to the ancient tradition in all its purity. According to Karaite sources, these were the early Karaites.

The influence of the advent of Islam on the Eastern Jews when they saw the rising power of the Arab peoples from weak nomadic tribes to an empire, played an important role in the forming of the Karaite philosophy. According to Leon Nemoy, (1952:xvii) the Shi'ite environment in Iraq and Persia in which early Karaism was nurtured suggests an influence, not only by the political and social aspirations of their fellow citizens, but by their religious views as well.

HISTORIC CONFLICT WITH THE RABBANITES.

Background

The Jewish settlement in Iraq in the ninth century CE traces its roots as far back as the Babylonian Exile in 586 BCE, i.e. a history of some 1300 years, unmatched by any other diasporal Jewish community. Under Persian rule a sophisticated autonomous system of self-government evolved within Jewish life. This included the office of the Exilarch (the Prince of the Captivity, the *Resh Galuta* in Aramaic) He was the lay head of the Jewish community in Babylon and thus the ultimate representative of the community before the country's leaders.

The administration of justice, the collection of taxes and the maintenance of public life within the Jewish community, were his responsibility. He was a dignitary of the Persian Empire, and the fourth in rank from the king, who confirmed his appointment.

To assist this function, an extensive bureaucracy of officials developed. Their salaries, as that of the Exilarch, were levied from the Jewish population. This was over and above the state taxation system, of which the main two taxes were the poll tax (the *charag*) and the land tax (the *taska*).

The Exilarchate was a political and civil institution and had no powers in the religious area of life. This was left to the heads of the Rabbinical seats of learning, usually the two main schools of Sura and Pumbeditha.

The Exilarch was entrusted with absolute power and was paramount over the legal system, both civil and criminal, controlled the police, inspected weights and measures and was in charge of the canal system, a most important aspect of life between the great rivers of the Tigris and the Euphrates, (Graetz, History 1894:vol 2:509).

This office was bestowed only on those who descended from the House of David and brought with it great benefits. An extraordinary example is the fact that the Exilarch would have the scrolls of the Law brought to him in the synagogue, whereas everyone else was obliged to go to the scrolls. Thus we see that little restraint or regulation could be exercised over the vast power that the Exilarch wielded.

This led to conflict between the Exilarch and the Rabbinic leadership of the academies who were forced into a subordinate position. The Rabbis saw themselves as the sole bearers of the Mosaic Law in its complete dual form, the written and the oral. Efforts were made to remain independent of the exilarchic treasury, and at various times, leading Rabbis asserted that they should be exempt from certain taxes, such as the head tax, the *Karga*.

This dissension led to even further control and supervision by the Exilarchs.

The Exilarchs maintained close ties with the heads of the academies of Sura and Pumbeditha, and also concerned themselves with the incomes of these academies which were levied throughout the Diaspora. This was another area of conflict between the two bodies. In addition, the position of Exilarch was hereditary, although not always falling to the firstborn, rather the member of the family who was most suitable and accepted by the academy heads and the important merchants who wielded influence at the Caliphic court (Encyc.Judaica,1971 vol 6:1027). In spite of their differences, the Exilarch and the heads of the academies were dependent on each other, because the election of each required the confirmation of the other party.

The new religion of Islam was the most earth shaking event of those times. Living in the midst of this, the Jews of that region could only be impressed by the heated controversial issues of their hosts and neighbours. Many of these Jews were of the rapidly growing Arabic speaking intelligentsia and were

becoming impatient with the slow pace of legal and doctrinal polemic of their faith and culture. Thus they were prepared to discard the bonds of a confining religion and were ready to adopt an attitude of deep and serious questioning.

It was against this background that Anan ben David, nephew of Exilarch Solomon ben Hisdai (d 762 CE), and who was worthy of being elected as Exilarch due to his lineage and erudition, was rejected. The rabbis found a disqualifying blemish in him because of his negation of the oral law. This attitude of Anan was a severe blow to the rabbis as the previous centuries had seen the growth in importance of the Mishnah and later the more weighty Gemarah of the Babylonian Talmud.

Anan's efforts to be elected were thwarted and the task fell upon his brother Hananiah, possibly in the year 767 CE. According to his mentor, Yehudah Gaon (Sura, 757-761 CE), as quoted in *The Chronicle of Abraham ibn Daud* in 1161 CE, 'he (Anan) developed certain traits of haughtiness and fearlessness'. Together with accusations of heretical leanings, these may have been the reasons that his brother, disregarding custom, was chosen over him. The main instigators were the two sons of Nachman, the heads of the academies, Judah the Blind of Sura (759-762 CE) and Dudai of Pumbeditha (761-764 CE).

Anan did not meekly accept the decision of his scholarly leaders and peers and it was this that set in motion the chain of events which led to the formation of the early Karaite sect. Whether this was what Anan was after, or if he just wanted to regain that which he thought was rightfully his, is still open to question. He was arrested and incarcerated where he met with Abu Hanifa. Anan, like his cellmate may merely have intended to establish another school of jurisprudence, rather than a sect. He seemed to have refrained from introducing any dogmatic deviations from the teachings of the rabbis. Indeed,

his only early divergence was concerning the calendar, the interpretation of which was under constant question (see the following dispute of Sa'adiah and ben Meir) by many factions, not only of the Karaites.

With this background of animosity Anan became more and more hostile to the office of the Gaonate and directed his wrath against the Talmud. He is reported to have said that he wished that all the adherents of the Talmud were in his body, so that by killing himself he might at the same time do away with them.

He considered everything in the Talmud reprehensible, and was desirous of returning to the Bible in the ordering of religious life. He felt that the Talmud had corrupted Judaism and accused the rabbis of disregarding many of its commandments, (Graetz, 1894, vol.3:130).

With the gathering of forces around the philosophy of Anan and his successors there came a period in the ninth, tenth and eleventh centuries CE of an aggressive doctrinal spread and missionary effort.

Anan ben David

The accepted founder of the sect was Anan ben David, who made his appearance between 754 and 775 CE in Baghdad, the metropolitan Jewish centre in Iraq.

A tenth century account states that Anan was "the first to bring to light a great deal of the truth about the scriptural ordinances. He was learned in the lore of the Rabbanites, and not one of them could gainsay his erudition. The Rabbanites tried their utmost to assassinate him, but the Almighty prevented them from doing so".

This account is attributed to Jacob al-Kirkisani, a tenth century CE Karaite scholar, and the earliest Karaite source to date on the life of Anan ben David.

He was of the Davidic line and was offended when he was not named exilarch after the death of his childless uncle, Exilarch Solomon ben Hisdai, who died in 762 CE.

Prior to the al-Kirkisani report above, there were other accounts which originated from Rabbanite sources.

In the second half of the ninth century the Rabbanites saw Anan as a heresiarch, and his movement, a heresy, "because they despised the words of the sages of the Talmud and set up for themselves an arbitrary Talmud of their own" (Nemoy 1952:3). At this time Rab Amram ben Sheshna, Gaon of Sura (859-869 CE), the compiler of the liturgy of the European Jews, had declared "This form of prayer has the force of fixed law. Everyone that deviates from it, is considered a heretic, and excluded from the community of Israel" (Graetz 1894:vol3,178).

One account is that attributed to the Karaite writer of the twelfth century, Elijah ben Abraham, and first published by S. Pinsker in Vienna in 1860. There is doubt, however, as to the true authorship of this work, and Pinsker, at first, assumed this to be Sa'adiah, which is understandable when studying the language and style. In it he relates, as quoted in Leon Nemoy's Karaite Anthology :

"Anan had a younger brother named Hananiah. Although Anan exceeded this brother in both learning and age, the contemporary Rabbanite scholars refused to appoint him exilarch, because of his great lawlessness and lack of piety. They therefore turned to his brother Hananiah, for the sake of the latter's great modesty, retiring disposition and fear of heaven, and they set him up as exilarch. Thereupon Anan was seized with a wicked zeal— he and with him all manner of evil and worthless men from among the remnants of the sect of Zadok and Boethus; they set up a dissident sect— in secret, for fear of the Moslem government which was then in power— and they appointed Anan their own exilarch.

On a certain Sunday, however, the affair was discovered by the government, and the order was given that Anan be imprisoned until the following Friday, when he was to be hanged on the gallows as a political rebel. In prison Anan came across a Moslem scholar, (Abu Hanifa al-Nu'man ibn Tabit, the founder of the Hanifi school of Moslem jurisprudence), who was also confined there and was likewise to be hanged on the same Friday as a violator of the Islamic faith. This scholar advised Anan , saying:

"Are there not in the Law ordinances admitting of two contradictory interpretations?"

"Indeed there are", answered Anan. "Observe then," said the Moslem scholar, "the interpretation accepted in the teaching of those who follow your brother, and take the other interpretation for yourself, providing that those who follow you will back you up in it. Then give a bribe to the viceroy (the Vizier), so that you may perchance be permitted to speak in your defense, after which prostrate yourself before the caliph (Abu Ga'far al-Mansur 754-775 CE), and say: 'O my Lord the King! Did you set up my brother to rule over one religion or two?' Upon his replying: 'Over one religion only,' say to him further: 'But I and my brother belong to two different religions!' Of a certainty you will save yourself, providing that you explain to him the difference between your religion and that of your brother, and providing that your followers will back you up.

Say these things, and when the king hears them he will say nothing further about your execution."

While not knowing the authenticity of this story, we do know that Anan was "exiled to Palestine" with his followers. In Jerusalem he built his own synagogue, which would indicate a certain economic independence. This synagogue was still standing at the time of the First Crusade, 1096-1105 CE.

The guiding principles later ascribed to Anan's teaching include:

Rejection of the Talmudic tradition

A return to Scripture as the sole source of Divine Law

Repudiation of the authority of the geonic and exilarchic leadership.

His major work was "Sefer Hamitzvot", (Book of Precepts). This work became the most important book in Karaite literature and also a rallying point for the various opponents of the movement. This was written in Aramaic, the vernacular of most of the Jews and is a manual of his teachings. It includes the following:

Observance of the Law

Criminal Law

Prayer of Thanksgiving

Dietary Law

Sabbath

Incest

Divorce

Circumcision

The only proven historical facts about Anan's life were that he was of Rabbinic aristocratic descent and that he lived in Baghdad, founding the sect between 762 and 767 CE.

While examining the method of exegesis in Anan's Book of Precepts, we see a great similarity to that used in the Talmud. We know that he was well versed in the Law of the Rabbanites (Encyc. Judaica 1971:6,26), and that evoked some criticism from his followers as they felt that he was leaning too far towards the Rabbanite teaching.

Anan used the method of analogy (hekesh), not only in legal matters but also in the analysis of Biblical wording. This, at times, he used to extremes by coming to conclusions based on a single word. In his rigoristic attitude he postulated that the rules of rhetoric and literary style could not be applied to the Bible.

Not only was this rigoristic approach evident in his teachings, but also in the expression of practice of such institutions as the Sabbath and the Passover. His asceticism led him to exclude all aspects of joy and rejoicing from these days. As long as Zion was in ruin and her people in exile, the Sabbath and the holy days were turned into times of sadness and denial.

On Anan's death, between 780 and 800 CE, his son Saul and then his grandson Josiah, succeeded him as head of the sect, but both of them were of too little intellectual significance to leave their mark on the movement.

Between the years 830 and 890 CE men of greater standing appeared among the Karaites. Amongst themselves they held widely differing views and this caused various rifts and controversies. However, all to some extent or other, disagreed with Anan's philosophy and pedagogic methodology.

At this time an important external influence on Karaite thinking was that of the Mutazilites, an Islamic sect noted for its rationalistic approach to its theology, laying great stress on the unity of God and rejecting the attributes of physical form. This was at first denounced as heretical, but later gained influence in the schools of Baghdad and Basrah. This was later adopted as the court theology by Caliph Abdallah Almamun who ruled in the years 813-833 CE. (Encyclopaedia Britannica, 1988:vol. 8:457).

The first known person to introduce this Mutazilist tendency into Judaism was Judah Judghan who lived in the Persian town of Hamadan in about 800 CE. He may have been a keeper of camels, but he himself pretended to be the herald of the Messiah.

He asserted that we should not represent God with anthropomorphic attributes, for He is elevated above all created things. Nor may we take for granted that, by virtue of His omnipotence and omniscience, God predetermines the acts of man. Instead, man is master of his actions and reward and punishment are meted out accordingly.

While Judah of Hamadan had liberal views in matters theoretical, he practised the most severe asceticism. He refrained from eating meat or alcoholic drinks (cf. the Nazir of the Bible, Numbers 6 and Judges 13) and fasted and prayed frequently. Judah was the founder of a short lived sect rather than a religious philosopher, but his thinking was of great importance to the Karaite scholars that were to follow.

Benjamin ben Moses of Nahawand

The ideas of Judah Yudghan were first spread by the contemporary Karaite, Benjamin ben Moses of Nahawand in Persia, in the years 800 to 820 CE. Although he observed certain points of Rabbanism he fervently adhered to the Karaite principle of unrestricted research in the Bible. It was he, Benjamin al-Nahwandi who first used the name 'Qara'im' at the end of his work Sefer Dinim, (Book of Rules). Unlike Anan, who wrote, as far as we know, in Aramaic, Benjamin wrote in fluent and idiomatic Hebrew (Nemoy 1952:22).

Some one hundred years later it was reported by al-Kirkisani that " Benjamin was learned in the law of the Rabbis, and served for many years as a judge". Little more is known of his life other than he spent many years in the Karaite centres of Persia and Iraq (Nemoy 1952:21).

Karaite tradition regards Benjamin as the person who established early Karaite teaching on a firm footing by purging it of Anan's supposedly excessive leaning toward Rabbinic doctrines. With his judicial and legal background he paid heed to many practical considerations, advocating the right of the individual to interpret the law in accordance with his own ideas. He insisted that he was neither a prophet nor the son of a prophet and that his readers were entitled to differ with him.

Furthermore, he insisted that a father had no right to censure a son for an honest difference of opinion, and that each true investigator would be rewarded in heaven, even for a mistaken judgement honestly arrived at.

In his Book of Rules, (published of late by The Council of Karaite Jews, 1978),

Benjamin deals with the following topics:

Witnesses

Loans

The Wife's Property

Gifts

Inheritance and Wills

Marriage

Adultery and Desertion

Daniel ben Moses al-Qumisi

Daniel ben Moses al-Qumisi was a native of either Qums or Damaghan in Tabaristan, in northern Persia, and lived toward the end of the ninth century. This also earned him the name of Moses al Damaghani, yet scholars disagree to his actual birthplace. He left his land and seems to have been the first Karaite scholar to settle in Jerusalem. He was opposed to his predecessor Benjamin's method of Biblical exegesis and called for strict adherence to the literal sense of the Bible. He strongly denied the

existence of angels, as expounded by Benjamin, and translated the term malakhim (angels) as a natural force employed by God. He taught that when in doubt the more rigorous interpretation of the law should be accepted, thus opposing Benjamin's liberalism.

Daniel al-Qumisi at first revered Anan ben David as "Rosh Hamaskilim" (Head of the Sages), yet later denounced him as "Rosh Hakesilim" (Head of the Fools).

(Encyclopaedia Judaica, 1971, vol. 10:768).

Daniel opposed the work of Anan and this may have been the cause for his exclusion from the official Karaite memorial list.

The writings of Daniel which have survived include portions of a commentary on the Bible and a Book of Precepts :

Clean species of animals which may be used as food

Appeal to Karaites to come and settle in Jerusalem

Commentary on the Book of Daniel 11:35-39

It was mainly due to Daniel's undermining of Anan's authority among the Karaites, that Anan's faithful followers, by then called the Ananites, were pushed to the wall.

(Encyclopaedia Judaica 1971, vol.10:768).

This, as expressed by Daniel, was due to the rigid observances that were unsuited to the then modern way of life.

Concerning Daniel's call to the Karaites to settle in Jerusalem (above), it appears that Daniel was the real founder of the "Congregation of the Roses", and the instigator of the "Mourners of Zion" movement in Jerusalem. He demanded that the Karaites living elsewhere supply funds to support those living in the Holy City, to enable them to dedicate their lives to prayer and mourning.

In his ten point "Appeal to the Karaites of the Dispersion to Come and Settle in Jerusalem" he writes:

" Now you are living in the midst of the Kingdom of Ishmael, which loves to fix the new moon by direct observation", (this subject was always a delicate matter).

"Why, then, are you afraid of the Rabbanites? God will surely come to your assistance,.....for the Lord broke the staff of the Rabbanites and removed it from over you" (Nemoy 1952:38).

Many Ananites heeded Daniel's call for mass return to the ancestral land and settled in Jerusalem where they later disappeared into history by Crusader hands.

Karaite scholars, having discarded Anan's rejection of matters secular, now became active participants in the flourishing Arabic culture. In view of the special significance attached by Karaism to the study of the Bible, there flourished in their midst, a dedication to massoretic and grammatical studies, which in turn influenced the Rabbinic scholastic circles. Some older Jewish historians, such as J.Fuerst, S.Pinsker and H.Graetz were even of the opinion that these Karaite luminaries were the first to enter into modern fields of Judaic research.

CHAPTER TWO

LEADING PERSONALITIES OF THE EARLY KARAITE PERIOD.

In the tenth and eleventh centuries there developed a great surge in the output of Karaite literature, most of the works being written in Arabic and thus increasing their popularity. During this period there was a considerable number of outstanding Karaite theologians, teachers, grammarians, lexicographers and biblical exegetes.

In this work I have chosen three of these to illustrate the depth and beauty of the great output of these early Karaite Jews. This limited choice is due to the lack of space within this work, and because of this, justice is not done to those omitted.

Amongst these were :

Exegetes	Jacob al-Kirkisani	1st half 10th cent CE
	Solomon ben Jeroham	1st half 10th cent CE
	Yafit ibn Ali	last quarter 10th cent
	Sahl ibn Masliah	2nd half 10th cent CE
	Yusuf ibn Nuh (Josef ben Noah)	
		early 11th cent CE
	Abu al-Harun 'Grammarian of Jerusalem'	
		11th cent CE
	Abu al-Faraj Furkun	11th cent CE
	Ali ibn Sulaman	11th cent CE

Lexicographers

Abu Sulaman Daud al Fasi	late 11th cent CE
Abu Sa'id Levi ben Yafit	beg 11th cent CE

Codifiers

al-Kirkisani	10th cent CE
Sahl (ben Zuta?)	10th cent CE
Yafit ibn Ali	late 10th cent CE
Sahl ibn Fadl Tustari	end 11th cent CE
Judah ben Elijah Hadassi	12th cent CE

The Exegetes

2.1 Jacob al-Kirkisani

The great Karaite scholar of the first half of the tenth century was Jacob al-Kirkisani, (in Arabic, Abu Yusuf Ya'kub ibn Ishak Sam'awayh al-Kirkisani).

Not much is known of his life and even the identity of his home town is disputed, be it Kirkisiya (the ancient Circesium, the Roman fort city at the confluence of the Euphrates and Khabur rivers in present day Syria), or the small town Karkasan, near Baghdad.

Although known to workers in the field, such as Moritz Steinschneider active at the Bodleian 1852-1860, it was not until the Transactions of the Imperial Russian Archeological Society published the work of Harkavy which was later developed by William Bacher (1850-1913) that attention was paid to this important figure .

In the work by Bacher, *Qirqisani, the Qaraite and His Work on Jewish Sects*, information about early Jewish sects was made available. Indeed, in the monumental work by Prof. H. Graetz, *History of the Jews*, The Jewish Publication Society of America, Philadelphia, 1891, no mention is even made of this man.

However, Kirkisani's book *The Book of Lights*, is briefly mentioned by A. Neubauer in *Aus der Petersburger Bibliothek 1866*.

From his writings, we know of his interest in the Orient, both India and China, travel being an important part of every scholar's education. In the *Book of Lights*, he discusses the religious, legal and social aspects of these cultures.

al-Kirkisani was well versed in the Arabic tongue, in which he wrote and was well read in the literature, theology, philosophy and science of Arabic culture.

Nor was he lacking in knowledge of the books of the Mishnah, the Gemara, Midrashic, Halakhic and Rabbinic liturgy. He had deep knowledge of the Koran and the New Testament and was on good terms with eminent theologians of other faiths such as Jacob ben Ephraim, a Rabbanite scholar and Yasu Sexa, a Christian cleric (Nemoy 1952:42).

It was unfortunate that al-Kirkisani wrote only in Arabic. This prevented access to his works by later influential Karaite and Rabbinic scholars of Europe who were not versed in that language. As far as we know, his books were not translated into Hebrew and were thus out of reach of the later Byzantine and Russo-Polish Karaites. The two parts of his extant work are the *Book of Lights and Watchtowers*, a systematic code of Karaite law and a later work, *Book of Gardens and Parks*, a commentary on the non-legal parts of the Torah. This was written in about 938 CE. (Neubauer 1866:64) We know of his shorter writings as these were mentioned in the two volumes above of Neubauer, yet none of them have been recovered. Thus we can date them prior to these two, and they include:

A commentary on the Book of Genesis

A commentary on the Book of Job

A commentary on the Book of Ecclesiastes

A treatise in repudiation of Mohammed's claim to prophecy

An essay on the art of textual interpretation and explanation

An essay on the art of translation

A treatise on the oneness of God

In his Book of Lights and Watchtowers he deals with, inter alia, the following:

A history of the Jewish sects, in which he outlines the origins of the sects from the days of Jeroboam, leading on to the Samaritans, the Chiefs of the Community and the Saga of Simon the Just. From here he describes the Sadducees, the Magarians, the advent of 'Isa ibn Maryam, i.e. Jesus, the son of Mary, and the rabbinic split of the Schools of Hillel and Shammai. He then goes on to list the early Karaite leaders including those already mentioned, and is thus one of the foremost sources of the history of the early Karaites.

The Principles of Biblical Exegesis

Attitudes to the doctrines of various sects

Circumcision and Sabbath

New Moon (Rosh Hodesh)

Feast of Weeks (Shavuot)

The remaining Holy Days

Cleanliness

Incest

Dietary laws

Inheritance

2.2 Solomon ben Jeroham

The birthplace of this scholar is uncertain, either in Palestine or Iraq, but he was born around 910-915 CE. We know that he lived in Egypt and was familiar with the geography and topography of the Holy Land, (Nemoy, 1952:69).

According to the fifteenth century Karaite historian, Ibn al-Hiti who recorded

the history of some twenty five Karaite scholars, Solomon moved to Aleppo in Syria where he died. His tomb was a well known landmark even as late as the fifteenth century.

Solomon's major work written in about the fourth decade of the tenth century was a polemical letter against Rabbanism in general, and against Sa'adiah in particular.

His arguments were in some instances borrowed from older Karaite writers including al-Kirkisani. However, the poetic form and the energetic approach were all his own.

He appears to goad Sa'adiah into an argument but there is no evidence that he rose to this challenge.

Solomon is open about his rejection of the Mishnah when he says in his *Sefer Milhamot*,

Canto II:

I have looked again at the six divisions of the Mishnah
And behold they represent the words of modern men.
There are no majestic signs and miracles in them
And they lack the formula: ' And the Lord spoke unto
Moses and unto Aaron.'

I therefore put them aside and I said:

'There is no true law in them'.

(Trans. I.Davidson, New York, 1934).

2.3 Yafit ibn Ali (also known as Abu Ali al-Hassan ibn Ali al-Basri) flourished in the last quarter of the tenth century. By his Arabic appellation we see that he was most likely a native of Basra in southern Iraq and later moved to Jerusalem. Graetz in his chapter on *Jews in Palestine*, (Graetz 1894:vol

3:427), places him as being active in: 'Accho, alone possessed Talmudists, one Zadok and another Japhet ben Elia, and these were foreigners'.

According to Nemoy, (1952:83) : 'He moved to Jerusalem where he lived for a considerable period, if not until his death'. Nemoy calls him 'the foremost

Karaite commentator on the Bible during the golden age of Karaite literature.

In his commentary on the Book of Isaiah he digresses as follows when

expressing his fervour and pro-Zion attitude : 'This section,(Isaiah 21:2),

refers to the people of the Diaspora and to the best among them as well. They are at present divided into four classes:

1. *' the exilarchs who pretend to be the possessors of knowledge,*
2. *the common people who neither desire wisdom nor think about it; they know no more about religion than to go to the synagogues from Sabbath to Sabbath and to say 'Amen and Shema Yisrael',*
3. *the studios among the common people, whom the exilarchs teach the nonsense of the Talmud, and sorcery, instead of what might profit them,*
4. *the Maskilim (meaning the Karaite teachers) who, endowed with knowledge of the Torah are generous with the dissemination of their wisdom, in return for which they accept no recompense.'*

(Jewish Concepts,ed Birnbaum 1964:547)

Japhet ben Ali ha-Levi, as he is known in Hebrew, wrote in Arabic and one of his extant works is a commentary on the Book of Ruth, as seen in a British Museum manuscript, MS Or 2554, copied in the Karaite settled town of Ramleh in Palestine,(G. Margoliouth, 1889). In this and other works he borrows from his predecessors and also uses Rabbinic and Targumic sources and even the works of Sa'adiah Gaon. So popular were the works of ben Ali, that he has been used by the twelfth century Abraham ibn Ezra.

Japhet did not refrain from polemics against the Rabbis in his commentaries, especially Sa'adiah, against whom he may have written a special polemic, of which, however, no part is extant. This is according to Pinsker, (1860:vol.2: 19-24), refuted however by Mann, (1935,vol.2:31), who ascribes this to Sahl ben Masliah, a contemporary of Japhet.

Japhet was one of the pro-Zion Karaite scholars. There is a wonderful descriptive call in his work '*Hymn*', where he cries out to his fellow Karaites to come and settle in Jerusalem:

Ye mourners of Zion, remember your Mother from afar,
Sit not in gladness, in the company of the playful.
Your Holy House is in the hands of strangers
Yet ye are far away;
The enemies of God are within it, yet ye are unmindful,
Strive ye to appear before Him, be gasping and longing to do so.
Sinners will perish, and the righteous will sing and rejoice,
As it is written: *And let the righteous be glad,
let them rejoice before God.* (Psalm 68:4)

2.4 The Conflict with Sa'adiah Gaon

Sa'adiah ben Joseph, the main antagonist of the Karaites, was the greatest scholar and author of the Gaonic period, (Encyc.Judaica, 1971,vol 14:543). He was born in Pithom, Egypt, in 882 CE, (some scholars, such as Graetz put the year of his birth as 892 CE, (Graetz 1891:vol.3:188) and died in 942 CE. He was the founder of Scientific Judaism amongst the Rabbanites, and at an early age

displayed talents in authorship and as a communal leader. He attempted to reconcile scripture and philosophy, reason and revelation. He was influenced, as were many Karaite thinkers by Mutazilite rationalism and Aristotelian philosophy.

His knowledge was absorbed from many sources, including learning from Islam and from Karaite teachers, such as Solomon ben Jeroham, who later became his adversary.

In 913 CE he made a fierce attack upon the Karaites, which had repercussions for centuries afterwards. In his book, alas no longer extant, '*In Refutation of Anan*', he attempted to prove the necessity of tradition and to expose Anan's inconsistencies. He characterised Anan as 'an ambitious man who possessed too much boldness and too little fear of God, and who rejected Talmudic Judaism in order to avenge a personal slight, (Graetz, 1891:vol.3:189).

Not only did Sa'adiah do battle with the Karaites, but some years later, in 921 CE, he engaged in bitter argument with Aaron ben Meir, the head of the Jerusalem academy. Sa'adiah was aiming for a top position in the academies, and indeed, on his arrival in Babylonia in 992 CE, he was appointed to the School of Pumbeditha, where his letters included the title 'Rosh Kallah', a most exalted title. Within seven years he was installed as Gaon of the Academy of Sura.

The conflict with ben Meir was about the setting of the festive dates. However, there is perhaps a greater issue involving the political positions of the Jerusalem and the Babylonian seats of learning and leadership of the Jewish world. This led to a rare, united action of the Exilarch and the Geonim to prevent ben Meir from carrying out his plan to declare the Passover on a Sunday and not on the Tuesday, as accepted by the Babylonian calendar. This was in the year 922 CE. In that year it is recorded by the Karaite, Sahl ben Mazliah, that Rosh Hashana was observed in Jerusalem on a Tuesday, while in Babylonia it was on a Thursday.

For some years after the ben Meir affair, Sa'adiah continued with his writing and consolidated his position by making a very valuable two-fold contribution to the academies. These were the increase in the number of students and the broadening of the schools' financial bases.

This period of productive peace was not to last for Sa'adiah, for in the year 930 CE 'hostilities' broke out between him and the exilarch, David ben Zakkai, who reigned for the years 918-940 CE, (or 921-940 CE according to Graetz). Ben Zakkai's candidate for the position of Gaon of Pumbeditha was not confirmed by his rivals. He therefore raised the status of the Sura academy and in the year 928 CE appointed Sa'adiah to that post.

However, there were certain conditions attached to this appointment. Ben Zakkai charged Sa'adiah: *'Not to appoint any other exilarch beside himself, nor to associate with those who plotted against him and not to deviate from his words in any direction'* (Encyc.Judaica, 1971: vol 14.:1029).

Sa'adiah did not accept this restrictive situation and soon refused to ratify some legal aspect of a decision of the Exilarch, which had been approved by the opposing Gaon of Pumbeditha. This led ben Zakkai to issue a 'herem', (a disgraceful ban), against Sa'adiah Gaon. In turn Sa'adiah issued a 'herem' against ben Zakkai, and appointed David ben Zakkai's brother Josiah, as Exilarch. This matter was brought before the Vizier and the courts, and is recorded in history as yet another episode in the struggle within the leadership of the Babylonian exile.

However, several positive factors emerged from this internecine strife between Sa'adiah and the Karaites. The Karaites wanted a lessening in the importance of the oral law, if not its eradication. This did not take place. This powerful Sa'adian opposition to the Karaites, however, acted as a unifying factor of the often divided Karaite scholars, and at the same time was the stimulus to the complacent forces within the Rabbanite Jewish movement.

CHAPTER THREE

THE SPREAD OF KARAISM, 10th to 19th Centuries CE.

3.1 The Spread of Karaism, 10th to 15th Centuries CE.

With the arrival of the Crusaders in 1099 the Karaite centre in Jerusalem came to an abrupt end, as did that of the Rabbanites. But unlike the Rabbanites, the Karaites did not return to this city after the reconquest of Saladin in 1187. Instead they spread out to the already established centres in Egypt and in the Byzantine Empire, later to spread into the Crimean peninsula.

3.1.1 The Holy Land

3.1.2 Syria

3.1.3 Spain

3.1.4 Egypt

3.1.5 Iraq

3.1.6 The Byzantine Empire

3.1.1 The Holy Land.

After the 'battle' with Sa'adiah in the middle of the tenth century CE, Persia and Iraq gradually lost their dominant position as the centres of Karaite activity and were superseded by the Karaite populations of Jerusalem and Egypt.

Jerusalem became the outstanding centre of Karaite thought and scholastic achievement. At the end of the tenth century CE, great scholars such as the commentator and Hebrew grammarian, Joseph ben Noah emerged. It is said that he presided in Jerusalem over an academy of seventy disciples (doubtless an imitation of the ancient Sanhedrin) (Baron 1957: vol 5:232). These included such eminent names as Joseph ben Abraham al-Basir who due to his blindness was nicknamed ha-Roeh, הרואה the Seer. Other eminent Karaites of Jerusalem at that critical time up to 1099 CE, included Sahl ben Mazliah, the Bible exegete Jefet ben Ali ha-Levi, as well as the noted philologist Abu Faraj Harun ibn al-Faraj, who was known as "the Grammarian of Jerusalem." (Encyclopaedia Judaica, 1971: vol.10:769). Settled in the Holy Land at that time was the distinguished lexicographer David ben Abraham al-Fasi of Fez in Morocco.

In Jerusalem of the eleventh century CE, the outstanding Karaite theologian and philosopher was the above mentioned Joseph al-Basir, who opposed many of the doctrines of Anan and the theological views of al-Nahawendi. Of very practical value for the community, he attacked the extremist view of forbidden marriages, the *Rikkuv* theory. His pupil, Jeshua ben Judah, (Abu al-Faraj Furqan ibn Asad), gained fame as a religious teacher and philosopher, and was admired by Abraham ibn Ezra for the standard of his Biblical translations and exegesis. Even more than his teacher, he was opposed to the extension of categories of forbidden marriages.

Jeshua ben Judah was the last of the great Karaite scholars of Jerusalem of that time.

Jerusalem was not, however, the only Karaite centre in the Holy Land. In Ramleh some 15km south-east of present day Tel Aviv, a significant community was developing. In his work, *Kitab al Anwar*, (ed. Harkavy 1909:37) Kirkisani makes reference to a ninth century sect, linked to the Tiflisi group, "al-Ramliyah", and their founder, Malik-al-Ramli: " In al-Ramla lived Malik-al-

Ramli whose followers are known to the present day as Ramlites or Malikites" (Nemoy 1952: 53).

Before him, al-Qumisi in his *Commentary on the Minor Prophets*, makes mention יושבי השפלה, הם רמלה,

'Dwellers of the plain, those of Ramleh'(Mann 1935: vol 2:79).

Reference is also made to this centre in a copy of the commentary on the *Book of Ruth* by Japhet ben Eli (last quarter of the tenth century CE).

Other references to the Karaites in Ramleh during this period are made by Sahl ben Mazliah (second half of the tenth century), when he refers to their "close relationship with the Rabbanites ", (Nemoy 1952:117-8). In a further reference Sahl mentions the Rabbanites of Ramleh, we see that he was well versed with the two communities there, אחינו תלמידי הרבנים בחר הקדוש וברמלה ,

"Our brethren, the disciples of the Rabbanites, in the Temple Mount and in Ramleh (Mann 1935: vol 2,22).

Also much later, in the writings of Ibn al-Hiti, who lived in the first half of the fifteenth century CE, mention is made of al-Ramla as the dwelling place of the learned Karaite, Ali ben Abraham al-Tawil, (Nemoy 1952: 233).

By the eleventh century, the Karaite community in Ramleh had expanded and required two synagogues. Two sources which reveal this information are the colophon to a Karaite Torah scroll dated 1013 CE, and the other a divorce document found in the Cairo Geniza and now in Oxford, (Gil 1983: vol 2:176). A further document, a *Ketuba*, (a marriage contract), originated from Ramleh and was written in the eleventh century, (Ankori 1959:296).

In many cities in Israel at that time there was evidence of Karaite settlement and activity. In the city of Hebron an old Karaite cemetery exists to this day. From Gaza and from Sebastia (Samaria), Geniza documents dated around 1050-1055 CE have been found. In Tiberias in the 9th and 10th centuries CE, the eminent scholars Moses ben Asher and his son Aaron contributed to

massoretic and grammatical knowledge. Although opinion is divided amongst scholars as to whether or not this was a Karaite family, this was overlooked by the Rabbanites and the massoretic texts of the Bible now in use are largely derived from ben Asher's original copies. (Graetz 1894: vol.3:207).

This Golden Age, unlike many others, did not decline over a number of decades, but came to a sudden, violent end in the year 1099 CE when the Crusaders swept through the land, leaving devastation and destruction in their wake. This, the First Crusade, led by Godfrey of Bouillon, obliterated all the centres of Karaism in Palestine in one fell swoop. All except the centre in Ascalon where those who escaped found refuge. This city was to remain under Moslem control for a further fifty years and was only conquered by the Crusaders in 1153 CE. In 1170 CE, the merchant, traveller and diarist, Benjamin of Tudela, noted that there were, inter alia, some 40 Karaites living in Ascalon. (Benjamin of Tudela, ed Adler 1907: 28).

3.1.2 Syria

Further, Benjamin reported in his journal that 100 Karaites lived in Damascus compared to approximately 3000 Rabbanites, thus they were a small minority. In the 11th century CE a seat of the Karaite Patriarchate was actually established in Damascus. According to Graetz(1894: vol.3:427), there were about 200 families who, with a larger congregation of Samaritans carried on peaceful intercourse with the Rabbanites. Most prominent and colourful of the Damascus Karaite writers was Moses ben Samuel. Born in Safed in Palestine, he moved to Damascus in about 1354 CE, where he married the daughter of a Karaite who was in service to the Emir of Damascus. Before long , he too had joined the 'civil service' as this was not unusual for non-Moslems to be in such public positions.

With Jews in elevated positions there were at times, outbursts of intolerance, even leading to pogroms accompanied by looting, vandalism and murder.

During one such incident Moses was accused of having made disrespectful remarks about the Islamic faith, a crime punishable by death. To escape execution he finally consented to become a Moslem, although in his heart he remained true to his ancestral faith.

Soon afterwards he was compelled to accompany the Emir on pilgrimage to Mecca and Medina. Moses' fascinating tale of what he saw and felt, is beautifully portrayed in fine Biblical style in his *Account of his Conversion and Pilgrimage to Medina and Mecca*. (Nemoy 1952: 151).

3.1.3 Spain

With the beginning of the second half of the eleventh century CE, the field of Karaite activity expanded into Europe. This was largely due to the work of many of the disciples of Jeshua ben Judah (in Arabic, abu al-Farag Furqan ibn Asad). These disciples, upon returning home from Jeshua's seat in Jerusalem, acted as emissaries of Karaite doctrine. One such propagator was Sidi ibn al-Taras, who was active in Castile and whose wife continued his work after his death.

After a short while the Castilian government, influenced by the Rabbanites turned against the Karaites and extirpated their missionary movement in Spain. (Encyclopaedia Judaica 1971: vol.10:770).

Apparently al-Taras was too outspoken in his attack on the Rabbanites and with the influence of two Judaeo-Spanish statesmen, Joseph Farissol and Judah ibn Ezra, persuaded the authorities to act against the Karaites.

However, this brief appearance of Karaism on Spanish soil was fruitful for Jewish historical literature, for it induced the philosophically trained Abraham ibn Daud of Toledo to write his *Sefer haKalah* (in 1161 CE), which is invaluable

for the history of the Jews of Spain. (The Jewish Encyclopaedia 1904: vol.7:441).

He stresses the absence of Karaite creativity in Spain, calling them 'mute dogs that cannot bark'. (Perlmann 1949:280). This was unfortunately a one-sided biased account of the Karaite community and was yet accepted for many years by scholars. However, in recent years this oversimplification by ibn Daud has been rectified. (Ankori 1959: 34).

The Karaites of Spain suffered at the hands of a Rabbanite, Joseph al-Kabri, as "they had become a numerous body and strove to regain their ancient splendour". They were supported by their co-religionists from Constantinople, and especially by Judah ben Elijah Hadassi, (see 3.1.6.5) who styled himself 'a mourner of Zion' (Avel Tzion). In his book, *Eshkol haKofer*, written in 1149 CE, he discussed the differences between the two Jewish schools. Hadassi wrote with intense passion, employing harsh language in the common acrostic style. This work, hostile to the Rabbanites, re-opened the conflict between the two groups in Castile. Instead of having the book refuted by some able Rabbanite, Judah ibn Ezra called in the aid of the secular arm, and besought the permission of the emperor Alfonso to persecute the Karaites.

(Graetz 1894 vol.3:362).

According to Baer, 'The persecution of Karaites reached the peak of violence in Spain where three generations of Rabbanite courtiers waged a ruthless war of extermination against their sectarian compatriots. (Baer 1965: 313).

3.1.4 Egypt.

The decline of importance of the eastern Karaite centres had begun, and by the beginning of the twelfth century CE, was in full swing. Only in Egypt there flourished an important community, while not matching that of Byzantium, was nevertheless, significant in Karaite history.

The Karaites of Egypt enjoyed the goodwill of the authorities and even had some success in closing the gap with the Rabbanites. Some members of the Rabbanites adopted Karaism, while others without leaving traditional Judaism came under Karaite influence and neglected Rabbinical precepts.

(Encyclopaedia Judaica 1971: vol.10:770).

With the arrival in Cairo of Maimonides in 1166 CE, a change in the situation took place and the decline in the Karaite community commenced. Maimonides made it very clear in his *Commentary on the Mishnah* (Hullin 1.2), "heretics are punished by us in accordance with the severity of their evil deeds, so that they may not corrupt Israel and cause it to lose its faith" (Baron 1957: vol 5:280).

The outstanding Karaite poet of this time was Moses ben Abraham Dari, whose poetry is still held in high esteem by modern Karaite Jews. There is still uncertainty as to the years in which he was active, but most scholars now agree it was about the year 1200 CE. His parents came from Spain and settled in Dara in Morocco, thus the family name Dari. He however, was born in Alexandria, Egypt. By profession he was a physician and he wrote about his travels to Jerusalem and Damascus.

His writings were prolific, mainly poetry, both religious and secular, many describing his wife who, it appears was a constant source of hardship for him. (Nemoy 1952: 133).

His major works are well preserved and researched. Most are written in Hebrew and signed **משה, רופא קראי, חזק**. Dari wrote in the best traditions of the Spanish school, especially of ibn Gabirol and Abraham ibn Ezra.

(Encyclopaedia Judaica 1971, vol 5:1302).

3.1.5 Iraq.

The important part played by Iraq and Persia in the early history of the Karaites was never regained. Only a few Karaites were left in these countries in later centuries. However, on the island of Hit on the Euphrates some 140 km west of Baghdad there continued a congregation of Karaites till the mid 20th century.

Hit was the birthplace of David ben Seadel ibn al-Hiti who was born in the second half of the 15th century and later lived in Egypt. He wrote biographies of the Karaite scholars in Arabic. Nemoy (1952:230) refers to his work as:

" a mere jumble of badly phrased short notes...."

Later references to this community are made by Mann in *Letter to the Karaites of Hit, 1789 CE*. (Mann 1935: vol.2:381).

Further mention is made by J .Obermayer who visited Hit in 1869 where he found a small Karaite community of twenty families. (Obermayer 1929: 49,67).

In the 1860's, the traveller Ya'akov ben Nathan Sapir, a contemporary of Firkowicz, reports on meeting Karaites from Hit in Jerusalem who reported of some thirty families living there. This community survived and in the 1960's were brought to live in Israel, soon after the liquidation of the Rabbanite diaspora in Iraq.

3.1.6 The Byzantine Empire.

It is not known when the Karaite settlement started in Byzantium, but in his work, Gil mentions that according to a Genizah document of the late 1030's a Karaite living in Byzantium had married a Christian woman who converted to Judaism. (Gil 1983: vol.2:192).

Furthermore, Ankori points out (1959: 27) that "there is still not one explicit reference in the Byzantine Greek sources to the Jewish sectarians proper nor

to their institutions and position within the Empire's heterogeneous population".

From the Karaite sources of that period we also find little evidence of their position.

According to Mann (1935: vol.2:287), "the earliest reference so far is to be found in a Genizah letter, dated Kislev, 1028 CE, concerning prisoners brought by Saracen pirates to Alexandria among whom were seven Jewish merchants from "the land of Anatolia", consisting of four Rabbanites and three Karaites. In the eleventh and twelfth centuries CE the move into the Byzantine Empire was in full swing. The first areas were in Anatolia in places such as Atteleia, Nicomedia and then into Byzantium (Constantinople) itself. This, apart from the troubled Spanish arena, was the main spearhead westwards into Europe, which overtook the old centres of Iraq and Persia which were experiencing political turmoil and disintegration. In addition there were Karaite settlements on the island of Cyprus, and in the Christian principality of Edessa (the Greco-Roman city at present day Urfa in south-eastern Turkey) and also in Thessalonica on the European mainland.

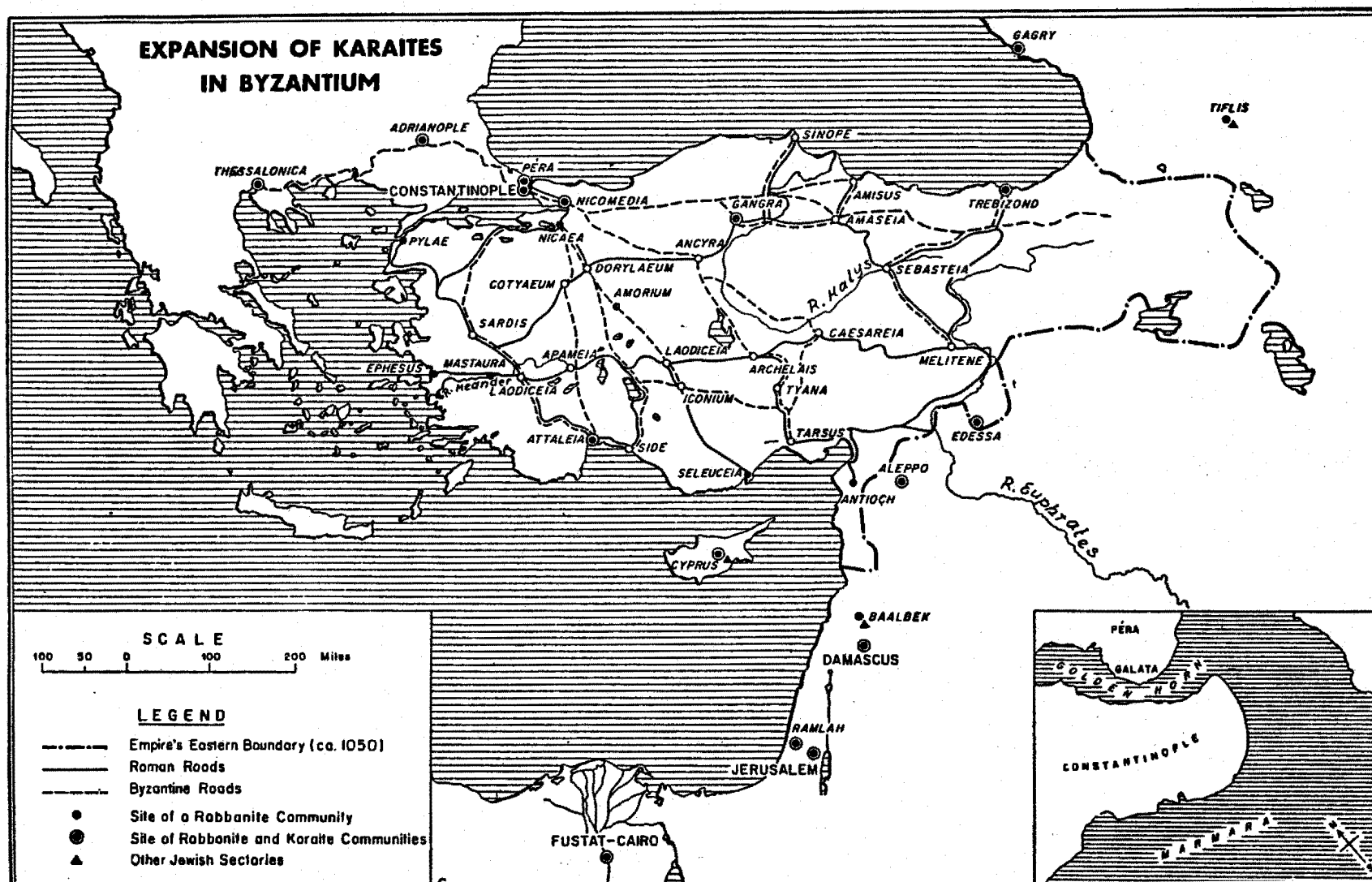
As to the Karaite Jews of Adrianople, Graetz, in his *History of the Jews*, (1894 vol.4:269) has the following interesting report: "The Karaites whose fundamental principle is the study and reasonable interpretation of the Bible, were in so lamentable a state of ignorance, that their entire religious structure had become a system of authorized dogmas and traditions more rigid even than that of the Rabbanites. The extent of their intellectual decline may be measured by the fact that in the course of a century they failed to produce a single moderately original theological writer".

But in the eleventh and twelfth centuries the Karaites flourished in the Byzantine Empire. The most noted were:

Tobias ben Moses ha-Avel

Jacob ben Simon

Source: Zvi Ankori. *The Karaites in Byzantium*.



Jacob ben Reuben

Aaron ben Judah Kusdini

Judah ben Elijah Hadassi.

3.1.6.1 Tobias ben Moses ha-Avel. His appellation "ha-Avel was from his association with the "Mourners of Zion" whom he visited when he went to study in Jerusalem with Jeshua ben Judah. (Nemoy 1952: 124). On his return to Byzantium, he became the leading figure in the adaptation of Karaite Law to the needs of the community. Both his private and public life are documented in the Geniza finds.

According to Mann, (1935: vol.2:42) Tobias was "active as a translator of Karaite works from Arabic into Hebrew and also an independent author." Mann later states (1935: vol.2:699) that in the fifteenth century, the worthies of Troki, Lithuania, "ask for a copy of the Law Code by Tobias ben Moses of the 11th century as an authoratative source".

Salo Baron (1957: vol 5:234) acknowledges these translations as:

" he made them accessible to Jews under Christendom (after 1041 CE), and the Karaite community of Constantinople became a centre of Karaite life and learning." Further, in vol 7, Baron lauds " the superior language of smooth and idiomatic Hebrew."

3.1.6.2 Jacob ben Simon. A generation after Tobias another Byzantine Karaite went to Jerusalem to study at the academy of Jeshua ben Judah. He was Jacob ben Simon, known primarily through his Hebrew translation of an important treatise on the Karaite law of incest written in Arabic by his Palestinian mentor. Like Tobias, Jacob also devoted his energies to the

their observance. It is an all encompassing corpus of Karaite beliefs and knowledge as it existed at that time. (Encyc. Judaica 1971: vol.7:1046).

Judah established eighty hermeneutical rules and stresses the rational attitude of Karaism, while, in contrast, he was a believer in astrology, sorcery and demonology.

Hadassi believed in man's free will in his faith yet was very critical of the Rabbanite method of such mundane matters as lending money. He was outspoken against both Islam and Christianity, but did not attack Jesus personally. Some of this criticism was deleted in editions of his work published in Czarist Russia in 1836 by Abraham Firkowicz. (Ankori 1959:28).

The fifteenth century was for both the Rabbanite Jews and the Karaite Jews a most traumatic period. As, further west, the Inquisition and Expulsion was decimating the Iberian communities, so was the political upheaval in the Byzantine Empire casting its finger of change.

3.2 Rapprochement.

The conquest of the once mighty empire of Byzantium by the Turks in 1453, influenced the relationships between the Karaites and the Rabbanites of that region. Many of the Jews expelled from Spain were granted political asylum in the new Turkey. Here they were well treated, especially under the rule of Suleiman the Magnificent, who reigned from 1520-1566 CE. (Barnavi ed 1992:130)

During this period Jewish intellectual life rose to new heights, with the opening of schools, synagogues and printing presses. Jews and Karaites alike, were no longer confined to the study of religious topics exclusively. They applied themselves to the secular studies of physics, astronomy, mathematics and medicine.

As important as this "enlightenment", was the rapprochement which took place between the Karaites and the Rabbanites in the 15th and 16th centuries. The Rabbis even accepted Karaite Jews as their students. One such case was Mordehai b. Eliezer Comtino whose student Elijah ben Moses Bashyazi (1430-1490 CE), went on to become the foremost Karaite scholar of his time. His great contribution was אדרת אליהו - Aderet Eliyahu. This was a code of law and became the Karaite counterpart of שלחן ערוך the Shulhan Aruh. (Encyc. Judaica 1971: vol. 10:771).

Elijah ben Moses was born in about 1430 CE and after studying with both Karaite and Rabbanite teachers was respected for the lucid and systematic method of treatment of theological and legal problems. So great was his reputation that not only were his opinions sought after in Constantinople but also in the Karaite settlements as far afield as Poland.

In one of his letters of 1484, (Mann 1935: vol. 2:699) he compliments them about the presence of intellectuals eager to improve their knowledge and combine wisdom (science) with religion,

הידיעה והאמונה, בעדות ה' נאמנה. לבלתי היות חלוקה. בנפש שוקקה.

בין החכמה ובין האמונה הרמה.

(Knowledge and faith, in the true testimonies of God, cannot be separated.

With a vibrant soul, both wisdom and belief are elevated).

He did not live to complete this work and the task fell upon his pupil and brother-in-law, Caleb b. Elijah Afendopolo. His work in a modified form

להרב אליהו בן משה בשייצי is still taught today, and in a recent edition printed in Ramleh, Israel, in 1987, the title page is dedicated as follows:

להרב אליהו בן משה בשייצי
החכם השלם והפוסק האחרון
חובר בקושטא, בשנת התרכ"ב

To Rabbi Elijah ben Moses Bashyazi,
The perfect sage, the final arbiter,
Constantinople, 1860 CE, 5622.

A great grandson of Elijah Bashyazi, Moses ben Elijah Bashyazi, was the last outstanding Karaite author of that period, and with his death so ended the Byzantine chapter in Karaite history. This was at the end of the sixteenth century CE. (Enc.Judaica 1972: vol.10:771). His works include quotations of earlier Karaite writers which he had discovered during his travels. Thus the Byzantine Turkish Karaites, as did their more eastern brethren, faded into the annals of history.

3.3 The Spread of Karaism, 16th to 19th Centuries CE.

3.3.1 The Crimea

3.3.2 Lithuania and Poland

3.3.3 Russia

3.3.1 The Crimea.

Whereas some Karaite presence had been noted in these areas as far back as the twelfth century CE by the likes of Rabbi Petahia of Regensburg, Karaite activity now shifted to, and gained importance in this arena.

Petahia mentions meeting them in 1180 CE. in Southern Russia, "North of the Black Sea and in the Crimea there were only Karaite Jews; these lived in the most primitive ignorance, and had no knowledge of their rival doctrine, the Rabbanite Law; they even cut their bread before the Sabbath, and on the evening of the Sabbath remained in total darkness." (Graetz 1894: 435).

Another report of this Rabbi's journey tells how " they (the Karaites) had no books of prayer, but made use of Psalms only, and they had never heard of Talmud." (Rule 1870: 160).

The Crimea had been part of the Roman and Byzantine empires and later that of the Ottoman Empire. Thus, when the Karaites moved into the Crimea in the twelfth century CE, they found life to be politically and culturally similar to that of the cities of the Byzantine Empire. The Black Sea trade area was important and growing, and this added to their dispersion. With the Mongol conquest of the thirteenth century CE, there opened a commercial marketplace , the vast eastern empire. These opportunities were well used by the Karaites of the Crimea and promoted even further settlement.

The Karaites of the Crimea came under the influence of the Turkish Empire and Islam during the years 1475 to 1783 CE. They accepted much of the

lifestyle, language and culture of their rulers, thus distancing themselves even further from the Rabbanites.

After the sixteenth century CE. the Karaite communities of the Crimea produced no important thinkers or scholars, and even lacked religious leaders and teachers.

Later, in the middle of the eighteenth century and influenced by the Karaites of Lithuania and Volhynia, a resurgence of cultural and literary activities arose within the Karaites of the Crimea. In 1734 a Hebrew press was established in Chufat Kale (Castle of the Jews, in Turkish) by the brothers Yeraka and was functional until 1806. (Halperin 1969: 401-4).

In addition, religious teachers were sent to the Crimean centres from Lithuania and Volhynia, where they were sorely needed. Outstanding among these leaders was Simha Isaac ben Moses Luzki who settled in Chufat Kale in 1751. He was born in Lutzk in Volhynia at the close of the seventeenth century CE. and died in 1766. He was a prolific writer, commentator and copyist. Apart from his discourses on the fundamentals of religion in the work *The Four Elements*, of most value was a small treatise called *ארח צדיקים*, (The Path of the Righteous). In it he deals with the much discussed subject of the origins of the Karaite Jews. In the third section he attempts to catalogue the Karaite scholars according to country of origin and of time, indeed a formidable task. Luzki also wrote *piyutim*- liturgical hymns, many of which are included in the Karaite prayer book. (Waxman 1943: vol. 2:456).

3.3.2 Lithuania and Poland

The oldest Karaite centre in Lithuania is without doubt, Troki, near Vilna, present day Vilnius, capital of the now much smaller independent republic. According to Karaite tradition, Grand Duke Witold (1350-1430), returning from a raid on the Crimea, carried off a large group of prisoners, including some one hundred Karaite families and settled them in Troki, Lutzk, and Halicz. These Karaites continued to speak Tartar and translated the prayers into the Tartar language. (Encyc.Judaica 1971: vol.10:772). These two towns of Troki and Lutzk, formed the main seats of learning of the Karaite Jews, and from whence the largest number of scholars hailed. (Waxman 1943: vol.2:448). In his work, *Vilna*, Israel Cohen (1943: 451) relates the special conditions which the Karaites received, that they were treated more like favoured colonists rather than as captives. There were Karaites in Troki, which was the old Lithuanian capital, some two hundred years before Jews settled in Vilna. There they were given plots of land to till and their civil rights were set out in a charter given by the Grand Duke on June 24th, 1388, in which they were placed on the same legal level as the Gentile communities of the towns of Vilna, Kovno and of Troki itself (Cohen 1943: 452). The decree of Grand Duke Witold describes them as "Judaei Trocenses" (Encyc.Judaica 1971:vol.10:773). Here, from very early times the Karaite Jews established the infrastructure of civil religious and legal life, appointing a *Shofet*, meaning Mayor in the terms of the day, *Dayanim*, religious judges, *Hahamim*, an office equivalent to that of Rabbi, and *Hazanim*, cantors, who often acted as Rabbis, partly because of the lack of suitably qualified candidates, and partly because the *Hazan* was often learned enough in Karaite law to act as religious leader, teacher of the young and even to compose prayers.

So well developed was the system of rule that the functionary at the other end of the scale was the *Shoter*, the constable, whose duties were to enforce the decisions of the leaders and to carry out punishment in the courtyard upon those sentenced to flogging.

The sophisticated communal structure is excellently covered by Jacob Mann in his *Texts and Studies*. (1935: vol 2, 553,696).

The first important Karaite author in Lithuania was Isaac ben Abraham Troki who was born in the town of that name in 1533. His learning earned him respect and deference of his fellow Karaites, and his knowledge of Latin and Polish enabled him to hold conversations on theological subjects with Christian clergymen.

As a result of these discussions he wrote his treatise entitled *The Strengthening of Faith*- חיזוק אמונה which was published with a Latin translation after his death in 1594, by his pupil Joseph ben Mordehai Malinovski, a Karaite author in his own right, (Encyc. Judaica 1971:vol.15:1403) and spiritual leader of the congregation.

There were numerous other Karaite authors who wrote on such diverse topics such as the calendar, Rabbinic Literature, mathematics and astronomy. (Encyc. Judaica 1971:vol.10:773).

During the Chmielnicki massacres of 1648, the Karaites in the main, suffered as did the Rabbanite Jews. This had two interesting side-effects. Firstly it improved relations between the two groups and secondly it aroused interest in the Karaites among Christian scholars, especially in Germany and Sweden. Together, the Chmielnicki massacres and the following exposure to Christian scholarship created an awakening and stimulus to Karaite writers, such as Mordehai ben Nisan Kukizov, who in 1699 wrote two treatises on Karaism, one being in reply to enquiries from Trigland (Rule 1870:preface) and called לִבְנוֹת מִרְדְּכַי - The Friend of Mordehai, while the second work, entitled לְבוֹשׁ

מורדכי - The Garment of Mordehai, sought to answer the questions posed by King Charles of Sweden.

With the wars between Russia and Poland in the years 1654-1667 the Karaites of Troki decreased in numbers. Some moved to Kukizov in Galicia where as we have seen above there was already a vibrant Karaite community. The Karaites of Troki were further decimated by the wars with Sweden in the early eighteenth century. Thus the charter of special rights in Troki granted by Grand Duke Witold centuries before, assuring the status of the Karaites as freemen with full religious liberty and their own jurisdiction and commercial freedom, was of little meaning to the meagre population which now remained. (Encyc. Judaica 1971:vol.15:1402).

3.3.3. Russia

Russia, under Catherine the Great (1762-1796), extended its borders in 1783 and incorporated the Crimean peninsula, and ten years later Lithuania. Thus within a short period nearly all the Karaites of Eastern Europe, with the exception of those in Galicia, came under new imperial influence, on the one hand, the Habsburgs, while on the other hand, the Czars of Russia.

Until then, the external history of the Karaite Jews had been similar, and parallel, to that of the Rabbanite Jews. Both considered each other as Jews, and whatever differences existed between them was an internal matter. And in the main, wherever the Karaites settled they were treated as Jews, for good or for bad.

The first notion of inequality arose in 1827, when the Karaite Jews of the Crimea, like the Tartars, were exempted from the military draft in a law enacted by Czar Nicholas I (1825-1855). This privilege was not extended to the

Rabbanite Jews. However, a year later this was extended to the Karaites of Lithuania and Volhynia.

Up to 1835 Russian Karaite leaders had refrained from attacking the Rabbanites. In this year the Karaites began to stress their fundamental differences to the Russian government. They pointed out their refusal to accept the validity and authority of the Talmud, and succeeded in having their official designation changed to 'Russian Karaites of the Old Testament Faith'. In 1840 they were placed on equal footing with the Muslims and were granted an independent church statute. Two dioceses were established, each headed by a *haham*, one in the Crimea and one in Troki. Finally in 1863 after ten years deliberation, the Karaites were given equal rights to those of the native Russian population. (Encyc. Judaica 1971:vol.10:774).

In his delightful account, the Rev. Dr. Rule (1870: ch 16) relates of the journeys of the Rev. Dr. Henderson of the British and Foreign Bible Society, who visited Lutzk in 1821, and attended the Karaite synagogue service on the Day of Pentecost.

A long detailed description is given about the structure and design of the house of worship, the women's section, the Ark of the Covenant on the western wall, which the reverend gentleman describes as "it is likened to a cupboard behind a curtain,.....which contained the Book of the Law, a synagogue roll, as usual."

The description continues with the unusual form of *talith*, prayer shawl, "which is more like a tippet than the warm, garment-like prayer shawl of the Rabbanite Jews".

About the service in the synagogue the visitor relates the order of prayer including reading passages from Psalms, the Prophets and then " the whole congregation lifting up their hands, and raising their voices high, as they consider the Law requires them to do, the Ark was then opened, and the Roll of the Law brought out with the utmost reverence.....in the crown of gold

there sparkled a precious stone of great brilliancy and exceeding price." (Rule 1870:178).

An interesting practice is then reported: "here the rubric directs a peculiar observance, relating to the commencement of the reading of Exodus ch 20. It says : thou shalt say the whole Ten Commandments, and the people shall say the same, every one of them, in the language of the country.

The Commandments were then read, one by one, first in the Biblical Hebrew and then in the Tartar language, seemingly well understood by all".

It is noteworthy that in the Karaite prayer books, both then and now, the name of God is not written in the unpointed Tetragrammaton nor the familiar אדני, Lord, as was customary with the Rabbanites, but use the form יי.

The most eminent Karaite scholar of the nineteenth century was Abraham ben Samuel Firkowicz (1786-1874). He was born in Lutzk in Poland but was active mainly in the Crimea. He was chiefly concerned in establishing the independence of Russian Karaites from Talmudic Judaism. He also tried to prove, by evidence in old manuscripts, that it was the Karaites who converted the Khazars to Judaism.

Being accused by the Rabbanite leaders, especially those of the Hassidic movement, as a heretic, an ignoramus and currying favour with the Russian authorities, led to bitter quarrels between the two groups. In answer to these accusations he wrote *Massa u'Merivah* (1838), where his contempt for the Rabbanite Hassidim is apparent. (Encyc. Judaica 1971: vol.6:1305).

To promote his movement of rending the Karaite stream of Judaism from the Rabbanites he expounded the theory that as the Karaites had come to the Crimea in the seventh century BCE, they could not have been involved in the crucifixion of Jesus. Whether or not this was politically motivated is still a

contentious issue, but it added to the fury of the Rabbanite Jews and widened the chasm between the two Jewish groups. In 1830 he was sponsored by local leaders and accompanied Simhah Bobowich, the chief Karaite religious leader, on a visit to the Holy Land, where he visited Jerusalem and Hebron, and later he visited Cairo. In these cities he collected numerous manuscripts which were transported to Istanbul.

On his return to the Crimea, and at the instigation of the *Haham* Bobowich, Firkowicz initiated his archaeological expeditions, where he uncovered ancient tombstones and even more manuscripts and documents.

This is well described in his main work, *Avnei Zikkaron*- Memorial Stones, written in 1838. This enterprise stimulated an awakening in Jewish history in general, and in Karaite history in particular.

During the years 1863 to 1865, Firkowicz returned to Palestine and Egypt where he obtained the more important part of his collection. This consisted of about 14 000 manuscripts, some of which may have originated from the *Genizah* of the ben Ezra the Scribe synagogue in Cairo, thus preceding Solomon Shechter by about thirty years. This is disputed by modern scholars. Material from this now famous collection which rests in St. Petersburg was used uncritically by Jewish scholars such as Pinsker, Graetz and Fuerst. On the other hand scholars such as Strack, Harkavy and Frankel demonstrate conclusively that the Firkowicz material abounded with forgeries, and even to this day it is difficult, if not impossible, to determine the original text from the emendations. (Encyc. Judaica 1971: vol.6:1306).

Jacob Mann, in his *Texts and Studies in Jewish History and Literature* (1935: vol 2, 293) states: " the notorious manipulations of Firkowicz in antedating tombstones and colophons have wrought much confusion. It is doubtful whether it will ever be clarified. However he has collected much valuable material about the later period of Karaism in the Crimea, which still awaits careful examination and research among the MSS, stored up in Leningrad."

In a recent discussion (March, 1994) the present author had with Dr. Yoram Erder (Tel Aviv University), a renowned researcher in this field, Dr. Erder remarked: "Now that the Firkowicz Collection in the St. Petersburg Public Library has been opened to western and Israeli scholars, we are astounded at the vast amount of material available".

Notwithstanding the controversy he caused, the importance of Firkowicz has been revised, and Zvi Ankori, (1959:59) in his *Karaites in Byzantium* has the following to say, both for and against: "....the entire Crimean theory was built upon material assembled and partly garbled by Abraham Firkowicz, the notorious leader of Russian Karaites..... His was a tradition of generations of oriental manuscript collectors, copyists and glossers who, like him, felt no qualms about pious 'emendations' of texts, or *bona fide* interpolations. Those who shook an accusing finger at him, ascribed to him standards of scholarly discipline and ethics which were unknown to him."

CHAPTER FOUR

THE KARAITE JEWS IN THE 20TH CENTURY

4.1 The Karaite Jews in the Diaspora.

4.1.1 Eastern Europe in the early 20th Century.

The main centres of Karaite settlement were in the Crimea, Lithuania and Russia (see 3.3 of previous chapter). The Karaites in these areas slowly dissociated themselves from the mainstream of Jewish life. In the middle of the previous century the Karaites of Russia were recognised as a separate religious community, and by decrees of November 1881 and February 1893 they were exempted from the discriminatory anti-Jewish laws and placed on equal footing with the Christians of Russia.

The final act of this separation was in 1910 when Karaite delegates at the Eupatoria Convention adopted a resolution not to accept any conversion to Karaism even from among the Rabbanites.

The Bolshevik revolution and the rise of Communism put an official end to all religious activity for both Karaites and Rabbanites and many Karaites participated in the military operations against the Bolsheviks, especially in the Crimea during the Civil War (Friedman 1980:154)

During World War I, the Karaite communities suffered greatly. Apart from about 700 who served in the Czarist army, the Karaite civilians were affected as the front line of battle passed through the Karaite areas of Lithuania and Volhynia. The German command even had the Karaites of Troki transferred to the Crimea in 1918 and they could only return after the Germans had retreated from the areas of southern Russia. Chaotic conditions existed in those days after the German withdrawal, and some Karaites who had served in the anti Communist armies were later deported to Siberia.

Others however, fled to the west, among them former officers and soldiers of the armies of Denikin and Wrangel (Encyclopaedia Judaica 1971: vol.5:1535) thus forming a new small Karaite diaspora in such countries as France and the United States.

According to Mourad el-Kodsi in a private communication of February 1995, the fate of those in the United States is in the main unknown, some of them having assimilated in the Jewish mainstream, while others preferred to stay away from any religion. In France the numbers grew to about 270 Karaites by the outbreak of World War II.

Before World War II several thousand Karaites lived in Turkey and Egypt (see 4.1.2). About 9 000-10 000 lived in the Soviet Union, mostly in the Crimea. Other communities were found in Poland (700-1300) in the towns of Troki (300), Vilna (300), and some in Halicz (150) and Lutsk (50). Scattered families lived in Lithuania (Ponevitz), Latvia (Riga) and Byelorussia.

The fate of the Karaites under Nazi rule is still a subject of delicate contention. The Nazis established four cases of exemption to groups of "Jewish Origin". These were groups which originated in Southern Russia and Central Asia, and apart from the Russian Karaites, included Judeo-Tats, Georgian Jews and Bukharan Jews. In all cases spokespersons of these communities argued that they were not of Jewish racial origin, and as minorities in Russia, all displayed anti-Russian and anti-communist sentiments.

As a result of this, an estimated 85 000 people were theoretically exempted from being defined and murdered as Jews. It should be noted that the actual number affected by these exclusions was considerably less because the Nazis conquered neither the Caucasus nor Central Asia where most of these Jewish groups resided. In one area however, the Crimean Peninsula, this policy was of importance as many Karaites were to be found here (Green 1984:169). This was in spite of the fact that the Bolshevik Revolution gave rise to an emigration of Crimean Karaites to Poland, France and even

to Germany because of their vested economic and political interests in the Czarist regime.

In Germany in 1941 there were only eighteen officially listed Karaites, most of them former officers of General Wrangel's army, who together with General Denikin and others, were organizers of the "White Army" in the Russian civil war of 1918-21 (Encyclopaedia Judaica 1971, vol 4: 1535). In the early years of the Nazi regime the noted Orientalist, Prof. Paul Kahle, was sent to Leningrad to determine the status of the Karaites. He examined the rich collections of documentary evidence there, possibly the Firkowicz Collection, and agreed with the position of the former Czarist regime that the Karaites were to be treated as an independent religious group unconnected with the Jews. Soon after this, in March 1939, Prof Kahle and his family left Germany in secret for London, an episode, however, not mentioned by Prof. Kahle in his work *Experiences of a German Professor*, published in London in 1945 (Friedman 1980:172).

In December 1938 a petition was delivered by the Russian Karaite representative in Paris, Serge de Douvan (also known as Serge von Douvan), previously the mayor of Eupatoria, to the Reich's Ministry of the Interior, in which he requested that the Karaites not be identified and legislated as Jews. The petition elicited a response from the head of the *Reichsstelle für Sippenforschung* (Reich's Department for Geneological Research) who in his letter of 5th January 1939, (some researchers say 9th January 1939), states:

"The Karaite sect should not be considered a Jewish religious community within the meaning of paragraph 2 point 2 of the First Regulation to the Reich's Citizenship Law. However, it cannot be established that Karaites in their entirety are of blood-related stock, for the racial categorization of an individual cannot be determined without further ado by his belonging to a particular people, but by his personal ancestry and racial biological

characteristics." (YIVO Archives, Berlin Collection Occ E, Box 100)

Thus this decree only confirmed the Karaites as a separate religious community.

As to the racial question, the decree was evasive, but was nevertheless of major importance to the Karaites of Nazi occupied France and Eastern Europe, as it elucidated their rights and exemptions from the harsh anti-Jewish laws until new instructions were issued.

As a result of the 1939 Soviet occupation of eastern Poland and that of Lithuania in 1940, the major Karaite settlements fell under Russian rule, a situation which resulted in a rapid deterioration in communal life. Later on, in the summer of 1941, when these regions were overrun by the German forces, the Polish Karaite leader, the Hakham Seraja Szapszal, met with the German authorities and convinced them of their non-Jewish background, and that this recognition should also be extended to the Karaites in the Crimean Peninsula. The German officials reached the following conclusions:

"The Karaites are, by the Turks as well as the Soviets, included among the Turkish people and not among the Jews. Neither in their gestures nor their appearance do they make a Jewish impression.....Christ and Mohammed are recognised by them as prophets. The leadership of the Karaites derives from their spiritual head in Troki..... so the treatment of the Karaites here, and in the Crimea and in the remaining Orient is significant.

Accordingly, the Karaites are not to be equalised with the Jews"

(Friedman 1980:162).

Thus the Karaites were viewed by the Germans as one of the many Soviet-Turkic nationality groups. The fact that they had adopted a Tatar language, even though this was written with Hebrew script, stressing the affinity between themselves and the Crimean Tatars, was strengthened by the extensive intermarriage with the local population. The circumstances were similar to the Krimchak population of the

Crimea, but the Krimchaks were exterminated due to their affiliation to the mainstream Rabbanite Orthodox Jews.

Thus the decree of 5th January 1939 served as a precedent, and on 1st October 1941, a letter signed by the chief of the political division of the *Reichministerium für die besetzten Ostgebiete* (Reich Ministry for the Occupied Eastern Territories) gave official approval to the viewpoint that the Karaites were not members of the Jewish religious community. However, a reservation was added concerning the intermingling between Karaites and Jews. Two weeks later there was a second instruction tightening up the rules concerning the "impure" Karaites:

"In general the Karaites keep themselves strictly separate from the Jews. Nevertheless, in individual cases they have intermingled with them. If in such cases the Karaite partner in marriage explicitly adheres to the Jewish religion, he should be recognised as belonging to the Jewish religious community, and should be treated as a Jew.

Karaites in mixed marriages with Jewish spouses are also to be treated as Jews, even without an explicit confession of adherence to the Jewish religion. The same applies to the offspring of such mixed marriages.

They too are subject to the guidelines regarding the treatment of Jews."

Thus the majority of Karaites in Eastern Europe were saved from the horrors of the Holocaust. They continued to work at growing tobacco and general farming, at crafts and at commerce. One astonishing fact is that an estimated five to six hundred Crimean Karaites served in the Wehrmacht, the Waffen SS and the Tatar Legion. This was revealed in a letter by Party Chancellor Gerhard Klopfer in September 1944, and continues:

"That in respect to the close relations between the Crimean Tatars and the Crimean Karaites, no steps should be taken against the latter because it would upset the former."

Klopfer continues by requesting a list of Karaites serving in the German forces.

(Green 1984:174) According to Green it is quite possible that released Karaite prisoners-of-war were among these mentioned by Klopfer.

Much more has been written on this period of Karaite history, notwithstanding the comment in The Encyclopedia Judaica,1971 vol 10 p 776:

" The behaviour of the Karaites during the Holocaust period vacillated between indifference to the Jewish cause and in some cases of actual collaboration with the Germans. No adequate study has been made on this subject".

However, Salo Baron is quoted:

"This traumatic experience undermined their cultural and moral creativity, with the result that they later succumbed to the Russian assimilatory presence"
(WJCR, 1994:vol. 18:18).

Thus on the one hand, there was some degree of collaboration with the Nazis, either actively or as interpreters. In Lutzk, Karaites were said to have beaten women and children, and even have assisted in the liquidation of the Troki ghetto in 1942, where seventeen thousand Jews were shot on a hillside near the town.

On the other hand, some Karaites are known to have assisted Jews. Vilna Jews often forged Karaite identification papers, and were sometimes shielded by local Karaites. In one case, a Jewish couple was captured and was sent to Warsaw for questioning by a Karaite acting as a go-between for the Germans. The Karaite agreed not to unmask the couple if they disappeared. The couple now live in New York. (Dan Ross 1982:135)

4.1.2 The Karaite Jews of Egypt in the 20th Century.

4.1.2.1 Population

4.1.2.2 Socio-economic situation

4.1.2.3 Institutions and publications

4.1.2.4 Relations with other groups

During the years 1882-1945 Egypt was in varying degrees under British rule. This offered much better conditions for most non-Moslem minorities and both the Karaite Jews and the Rabbanites increased in size and in wealth. There was also a strong rapprochement between the two communities.

4.1.2.1 Population

The Karaite community of Cairo had lived there uninterruptedly for more than a thousand years (see 3.1.4), but their numbers are unknown as the Egyptian census grouped all Jews living in Egypt into one category. However recent Karaite sources indicate that in 1917 there were 59 000, compared to 66 000 in 1947. Yet travellers, including Karaites vary in reporting their numbers, from 500 in the last quarter of the 19th cent. to 1 200 a few decades earlier (El-Kodsi 1987:13). The problem is exacerbated by the fact that it is against Karaite law to conduct a census, (Encyclopaedia Judaica, 1971, vol.10:778).

In 1942, a high ranking engineer in the central government, Eliyahu Yaqub Aslan attempted to ascertain the Karaite Jewish population of Egypt, and finally came up with the figure of 3 834. In his work, El-Kodsi doubted the accuracy of Aslan's total figure.

In 1952 El-Kodsi was the chairman of the Matzot Committee which decided that 35 000 Matzot should be baked. This was based on there being 5 000 Karaite Jews, each consuming, on average, seven Matzot during the Passover festival. This ingenious

way of a head count by virtue of Matzot consumption is discussed at length in his book, *The Karaite Jews of Egypt, 1882-1986*. (El-Kodsi 1987:14,15).

Thus we see, that due to the prohibition on conducting a census, whether counting souls or families, or the system used by El-Kodsi, all gave rise to divergent numbers as reflected in the above section.

4.1.2.2 Socio-economic Situation

The socio-economic status of the Karaite Jews in Egypt greatly improved with British rule from 1882 and the introduction of the banking system. Prior to this many Karaite Jews had been involved with money changing, a function now carried out by the banks. The Karaite Jews now turned to the crafts, and later larger scale production of gold and silver.

The neighbourhood of these activities was the *Al-Saghah* which became the centre of these trades. This 1,5 square mile block is surrounded by *Harat al Yahud al Qarrain* and the *Harat al Yahud al Rabbaniyin*, (Karaite Jewish Quarter and Rabbanite Jewish Quarter), and was populated predominantly by Karaite Jews. The main customers for gold were the Egyptian farmers, who after selling their crops preferred to invest in gold than in the new banks, loading their wives with heavy gold ankle rings, bracelets, necklaces and earrings.

During World War II the goldsmith shops were popular with the allied forces, who found available gold which was not the case in Britain and the United States, since those countries came off the gold standard in the 1920's.

In the main, the Karaite Jews in Egypt were of middle class and of wealthy status. However, in the 1940's there were more than one hundred and fifty members on the welfare list, who were aptly cared for by the community.

The golden years for the Karaites and Rabbanites alike was the period from 1925 until 1945. During these twenty years Jews in general reached the peak of prosperity and of political and economic power (El-Kodsi 1987:17,22).

4.1.2.3 Institutions and Publications

In his work El-Kodsi makes mention of the fact that until 1890 there was only one recognised head, *Ra'is* for both the Karaite and Rabbanite communities. However, by 1901 there are records of minutes taken at council meetings of the Karaite community (El-Kodsi 1987:51,footnote 3). In the same work we find that there was the position of the religious leader, known by the Arabic term *Hakham al-Akbar*, which was filled from 1856 by candidates, none of whom were born into the Egyptian Karaite community. This term is equated to the position of Chief Rabbi.

The records extant describe the method of election , the duration of office and all pertaining aspects of the office of *Hakham al-Akbar* and the Council Members and Religious Courts (Bet-Din). The years 1901 to 1940 are well documented in El-Kodsi's work. From 1940 until 1956, the religious courts assumed certain legal responsibilities according to the approved personal status code in 1935. The Religious Council was the backbone of the Karaite community in Egypt from the years 1901 until 1970. El-Kodsi is critical of the lack of long term planning by the council for all the needed projects and reforms.

Synagogues

Two Karaite synagogues existed in the old quarter of Cairo. One was constructed mainly underground and was demolished in 1937. A later synagogue was that of the Rab Simhah, which used to belong to the Samaritan community. This was visited by

Abraham Firkowicz in 1862 and it was from here that he obtained most of his papers and documents for the sum of two hundred pounds sterling.

In 1900 a wealthy widow donated to the community a piece of land and money to build a synagogue in the Abbasiyah area. She was Sitaytah al Musaffi, the widow of Ishaq Salih, the grandson of Abraham Masliyah, who came from the island of Hit in Iraq to be the *Hakham Akbar* of the Cairo Karaite community in the middle of the 19th century.

It took the community over twenty five years to begin constructing the synagogue, the foundation stone was laid in May, 1926 . This synagogue was completed only in 1931, and was named the *Mosheh al-Dari* synagogue, after the well known Karaite Jewish poet who was born in Egypt and was active, as most scholars now agree, in the 13th century (El Kodsi 1987:105, see also Nemoy 1952:133).

An additional house of worship was considered in the newer, more fashionable area of Heliopolis, and a considerable amount of money was collected. Again there was disagreement within the community as to the need for a further synagogue and it was never built.

Cemeteries

To the south of Cairo in the elegant suburb of al-Ma'adi there is a stretch of land called al-Basatin (the Orchard). This is the traditional burial place of the Karaite Jews and it is documented that in 1571 CE. this land had been the property of the Karaite community "for a very long time" (El-Kodsi 1987: 108). At the turn of the twentieth century, some wealthy Karaite families purchased burial lots from the Karaite Bet-Din. Each lot was surrounded by a stone and iron fence, and upon the lot was built a small house of two or three rooms.

Many expensive memorials were erected using the finest imported materials. These have over the years been stolen and vandalised, the little houses being taken over by the homeless of Cairo.

El-Kodsi feels that notwithstanding the documented legality of the Karaite Jewish community over this property, due to their few numbers they will not be able to protect their rights.

It was the custom to visit the dead and spend one night with them during certain holy days, such as the *Fast of Hameshi*, the seventh day of the month Ab, (this year it fell on 24th August, 1996). During this "Watchnight" passages from the Book of Ezekiel (ch 16 and 22) are read, as well as sections from the Book of Lamentations.

Schools

Up until the end of the nineteenth century, the Karaite schools gave instruction in the faith and the Hebrew language, and at the end of the century there were over twenty men who were qualified to become religious leaders.

When Shabetai Mangubi (born Istanbul, 1836), became *Hakham al-Akbar* in 1876, he instituted many changes. One of them was to establish a primary school in 1896.

This school was financed in the main by an active and successful lottery. This school had a principal, fifteen qualified teachers, a visiting physician, one secretary and three custodians. By 1949 there were three schools, as documented in the Religious Council meeting minutes of February 1949. This included a school for boys and a school for girls and a kindergarten. The schools were run from 1944 to 1956 by a Karaite Jewish principal, Mourad El-Kodsi, who with five other Karaite teachers, were all university graduates, teaching mathematics, science and art.

The schools, from their inception taught English and French in addition to Arabic and Hebrew, and the other subjects offered included mathematics, science, history, geography, art (including woodwork), vocal music and hygiene. Hebrew and Arabic were offered in the evening for boys and girls from the ages of six to twelve.

Thus we see above that an enlightened attitude was evident and as early as 1903 physical punishment was not permitted at all in the Karaite schools.

As to the school going population the following figures are of interest:

In: 1903 there were 232 children, all Karaite
1936 there were 226 children, 145 were Karaite
1952 there were 472 children, 46 were Karaite
1955 there were 734 children, 18 were Karaite. (El-Kodsi 1987: 126)

These figures aptly indicate the decline of the community.

Welfare

Brief mention should be made of the helping hand extended to the less fortunate of the community, even if at times this was poorly managed. The needy of the community received housing assistance, either totally free or nearly free housing. During winter and on special occasions food was distributed to the poor residents of the Karaite neighbourhood by the welfare arm of the religious council. Health care was extended to those in need and written permission from the clerk of the Karaite Bet -Din would gain admission to the Jewish hospital which was run by the Rabbanite community.

From the turn of the century the religious council provided financial help in education, and in 1936 of the 145 Karaite Jews attending school, 122 were subsidised by the religious council. There was a fund, *Ezrat ha-Betulot* which provided financial help for poor girls to get married. In 1946 the community celebrated the opening of a home for the elderly in their midst.

Thus we see a far-reaching attitude to the less fortunate in their community, which although with some changes as time passed, provided essential charitable solutions.

Publications

The literary output of the Karaite Jews of Egypt was meagre, but not totally absent.

There were a few poets and artists and two of the *Hakhamim*, Shlomo Cohen (who was Chief *Hakham* 1873-76) and Tobiah Babovitch (in office 1934-1956) published works on Karaite history and religion.

The outstanding literary figure was Morad Farag Lisha (1867-1956). A writer, poet and legal authority, he wrote more than thirty books, all in Arabic, on subjects ranging from Egyptian law to Hebrew grammar. In 1922 he helped to draft the Egyptian constitution.

In the world of music, Daud Husni (1876-1937) was one of the foremost composers of Arabic music, including many popular songs, operettas and an opera.(Schur 1992:132)

From 1901 there was an outflowing of penmanship in the form of magazines. In that year the first issue of *al-Tahndhib* appeared, being printed in the school's printing shop. This offered news of community affairs, and legal and religious matters.

This was replaced in 1908 when the magazine *al-Irshad* saw the light of day from the same print shop. Its theme was, "A reformed scientific and literary magazine". It lasted for ten months.

The "Association for Guidance", *Gamiyat al-Irshad*, appeared in 1921 to fight illiteracy in Hebrew and Arabic. This had support from the religious council, who provided classroom space for the association.

In March 1924, "The Israelite Union", *al-Ittihad al-Israili* was published at a rate of twice a month. The articles dealt with matters of faith, the relationship between the community and the religious council, and news about Jews in general all over the world. Each issue had an editorial that treated a problem of concern to the community, and in almost every issue there was an article about the Zionist movement.

In 1937, with the beginning of the reign of King Faruq, came a new unified association called "Young Men's Israelite Karaite Association", and its magazine *Gamiyat al-*

Shubban al-Israilyin al-Qarrain. This was a well organised magazine with pages in French and Arabic.

The bi-monthly magazine, ***al-Kalim***, appeared in 1945. It treated many topics of interest to the community, as did many of its predecessors. The main difference was that there was no mention of Zionism or the Zionist movement, as by that time all Zionist activities were outlawed in the Arab lands. (El-Kodsi 1987:214)

With the prolific, if mainly short-lived, output of magazines we see the intellectual and literary standard of this thousand year old community which was soon to come to an end.

4.1.2.4 Relations with other groups.

Relations with the Egyptian State

During the reign of Muhammed Ali in the first half of the nineteenth century, all Jews and Christians were given equal rights, even though at times this was not evident.

With the British occupation in 1882 these rights were strengthened and put into practice.

If a Jew was an Egyptian national he was treated with full equality, and if of foreign nationality, he was awarded the full protection of the Egyptian and the foreign states.

The Karaite Jews, unlike their Rabbanite brethren, were very much like their Egyptian fellow countrymen. He was Egyptian by virtue of his physical characteristics, by the manner of speech, his actions and even the style of dress.

From the 1940's this situation changed. Many Karaites and Rabbanites alike were put into "protective custody". From 1948 to 1986 most of the Jews left the country. As

their numbers dwindled their condition started to deteriorate, their property confiscated and many were left penniless. (El-Kodsi 1987:23)

Relations with other Karaite Centres

We read (Mann 1935, vol II, 321, et al) that during the 18th and 19th centuries there was contact between the various centres of Karaite settlement, such as those of the Crimea, Istanbul and Jerusalem. This is also inferred by the appointment of foreign Karaite religious leaders as shown in 4.1.2.3 above.

According to N Schur (1994:258) the state of the Karaite community in Jerusalem in the 18th and 19th centuries was one of dire stress. They were subject to the problems and persecutions of the other minority groups, including the wealthy Armenian Christians as well as the Rabbanite Jews.

In his work in the Eretz Yisrael Yearbook Schur also makes reference that the Karaites had, on various occasions, abandoned the city of Jerusalem due to insurrection and pestilence.

In the twentieth century, the recorded requests for assistance from the relatively affluent Cairo Karaite community fell mainly on deaf ears. This is well documented by El-Kodsi based on minutes of council meetings dating from March 1909.

A more recent episode of the lack of Karaite largesse was in 1945, when the well-known Polish Karaite scholar, Simon Szyszman, asked the Cairo community if they could assist him in entering Egypt temporarily. Their reply was, "We cannot do anything".

El Kodsi, himself a one-time leader of the Cairo community, comes to the conclusion that those who lead the community chose to do nothing to help the Karaites abroad.

In later years Szyszman stated : " Although sound and viable, this community, which no longer had relations with its sister-communities, was unable to understand their experience, did not know how to survive, and suffered the same fate as the others" (S.Szyszman 1980:102).

4.2 The Establishment of the State of Israel and the Consequences for the Karaite Jews in Arab Lands.

With the establishment of the State of Israel in May, 1948, there were marked and profound results to the Karaite community in Egypt. From the early 1940's the community had reached a pinnacle of economic success which may have been significant to the attitude of certain organizations. One of these was the well organized "Muslim Brotherhood". In the late 1930's, at the time of the uprising of 1936, their leaders used the "Palestine Question" as a tool to help spread hatred of Jews all over the Arab world. The Egyptian authorities never tried to stop such activities. (El-Kodsi, 1987:295) This, the government felt kept the attention of the masses away from their activities. These Muslim Brothers fought against the newly found state of Israel, and after the war they carried out a national campaign against the Jews. On 20 June 1948, bombs exploded in both the Karaite and Rabbanite areas, killing or wounding some 114 people. In the next month, with the continuing anti-semitic violence over 200 were killed or wounded.

In January 1949, the scholar and teacher, Solomon Nono, left Egypt for Israel. This was the green light for the mass movement of the Egyptian Karaite Jews to leave the land which had hosted them for over a thousand years. The majority went to Israel. Others went to France, Italy, Switzerland and England. A few went to Australia, Brazil and Canada. About one thousand went to the United States.

Thus, the establishment of the State of Israel added to the decline and disappearance of the community in Egypt. In the main it was transplanted in Israel. All along, unlike some sections of Karaites in Russia and Poland, the Karaite Jews in Egypt were always Jews. To this community the name "Karaite" was an adjective and not a noun. They felt that their's was essential Judaism, based on the purist attitude of Torah and Bible. The later Talmudic doctrine debased the purity of their belief.

CHAPTER FIVE

THE KARAITE JEWS AND THE STATE OF ISRAEL

5.1 Immigration to Israel, the first arrivals.

5.2 Reception and areas of settlement.

5.3 Administration of religious affairs.

5.4 The Legal Battle in the Knesset.

5.5 The Karaite Beth Din

5.6 Publications.

5.1 Immigration to Israel, the first arrivals.

In the early years of the State of Israel, from 1949 to 1960, the lives of the Karaite Jews was difficult, moreso than the other Israelis struggling in the new state. Nevertheless they managed to live together in unified community life in the centres of Ramleh, Beer Sheva, Ashdod, Jaffa and Jerusalem. They established a good organisational network with a Senior National Council, with headquarters in Ramleh (el-Kodsi 1987:298).

The Karaites in Israel form a Jewish minority within a Jewish majority and one of their great concerns is the retention of their Karaite consciousness and the study of their heritage and their customs. Karaite children in search of their identity are torn between their state and country of birth and their faith whose roots are embedded in the past. They have never been fully accepted by the wider Israeli public, yet show extreme loyalty to the state. The leaders of the Karaite Jews have the task of finding

the golden mean, that at one and the same time will preserve their identification with the state and the Jewish people , and with their own Karaite creed (Algamil 1985:86, based on El Kodsí documents).

Another problem facing the Karaites of Israel is that of leadership, especially religious leadership. To date, all the Karaite rabbis were born in Egypt, and were self educated. None of them graduated from a theological seminary. One way of solving this was to establish a Karaite *Yeshiva* where Karaite children can receive the needed education and where the influence of the majority, the ruling Rabbanite authority, is less (El Kodsí 1987:299).

A training seminary has been started in 1991 and a small group of interested young men after completion of military service have commenced their studies. Apart from Karaite Halakhah the courses include Hebrew language, Bible studies, the weekly pericope, the teachings of the Karaitic *Hazal*, music of the synagogue, homiletic skills, general Jewish history and an introduction to the Talmud. There is also a period of field work which includes circumcision, the wedding ceremony, funerals and ritual slaughter.

5.2 Reception and Areas of Settlement

In 1948 there were only two Karaite households left in Israel, both of the Sinani family of Jerusalem. The two male members were taken into captivity by the Jordanian Arab Legion, and with the ceasefire agreement of 1948 were returned to Israel. This was verified by the writer in a recent visit to the Karaite community in Israel (August 1995), both by their spokesman, Dvir Yosef in Ramleh, and Miriam Mourad, the keeper of the Karaite Synagogue in the Old City of Jerusalem.

In an article in the 1993 Yearbook of the Eretz Yisrael Museum of Ramat Aviv, (vol. 7-8, pp 255-266), Nathan Schur writes: " At the beginning of the war (in 1948), there was an attack by members of the Arab nationalist organisation the *Najada*, along the alleyways leading to the Karaite court-yard, but this was repulsed. On the 28th of May, 1948 when the Arab Legion overran the Jewish Quarter (of the Old City of

Jerusalem) there were only two Karaites left, Eliyahu Sinani and his son Avraham, who were taken into captivity to Transjordan. Some years after their release the father died by eating a poisoned chocolate, which was sent to his son by a young girl whom he had abandoned. The son Avraham went to live in Switzerland. Thus came to an end the Karaite community in the Old City.

The Karaite synagogue was destroyed by the Arabs. The new Karaite cemetery in the Valley of Hinnom remained intact on the Israeli-Jordanian border.

The famous book, *Keter Torah*, had been, prior to the war, entrusted to Baruch Masuda who deposited it in the vaults of Barclays Bank. From there the book found its way to a Swedish antiquarian, and in 1957 it was purchased by the National Library at the instigation of Yitshak ben Zvi". (Schur 1993:265).

With the establishment of the State of Israel in 1948 the numbers of the Karaite Jews increased, as many came from Egypt (ben Zvi 1955:433). The Karaite beth Din estimates that prior to the 1956 Anglo-French-Israeli invasion less than 100 Karaite Jews had left Egypt for Israel (el-Kodsi 1987:296). At that time ben Zvi estimates that 1200 arrived from Egypt and were joined in Egypt by some 30 households from the island of Hit, on the Euphrates in Iraq, some 150km. west of Baghdad (see 3.1.5). Most of these new immigrants were settled in the then under-developed southern areas of Beer Sheva and the development town of Ofaqim, in the north-western Negev, on the "Hunger Road".

The present settlement of Beer Sheva is divided into two congregations, the Karaite Jews of Egyptian origin and the abovementioned settlers from Hit. The author tried to make contact with the latter group while in Beer Sheva in August 1995. However there was no information forthcoming from the leaders of the Egyptian group led by Rabbi Feruz as was the case with Dvir Yosef in Ramleh. There appears to be no contact with the remnants of the Iraqi Karaites. The general population in Beer Sheva are also ignorant of both communities. The author was able to ascertain that the Hit Karaites have remained a close-knit group, leading to much intermarriage. Their location is in the suburb of Neve Noi, and as this name indicates they are vegetable growers and

many work in the local market and are nicknamed "Megadlei Petrosilia, the Parsley Growers".

The immigration to Israel which followed independence in 1948 forced the authorities to devise various ways of settling and integrating the newcomers. One of the alternatives was within the framework of agricultural settlements, a policy encouraged by ben Zvi. The Settlement Department of the Jewish Agency, in co-operation with the Ministry of Agriculture, was given the task of settling tens of thousands of new immigrants on cooperative farms, *Moshavim*. In addition some thirty new towns were created, both to absorb new immigrants and to achieve controlled dispersal throughout various areas, particularly the less developed ones (Myron J.Aronoff 1973:28).

In 1950 the Settlement Department of the Jewish Agency established the first communal agricultural village, a *Moshav*, for the Karaite Jews. This was Mazliah in the Judean foothills, two kilometres south of Ramleh. This was named after the 10th cent. Karaite exegete, Sahl ibn Mazliah of Jerusalem, who published a proclamation calling for immigration from the Diaspora to the Holy Land and that only there can one fulfill the commandments of the Torah (Carta 1986:305). Today the population is about 1000 persons, seventy percent being Karaite Jews, the rest being from Morocco and India, and according to the communities spokesperson they co-exist in harmony and with mutual respect.

The second agricultural settlement was Rannen in the north-western Negev, two kilometres north of Ofaqim which already had a small Karaite population.

This *Moshav* was named from a Biblical passage in Isaiah 35:2, "It shall blossom abundantly, and rejoice, even with joy and singing", and is situated on the banks of the Pattish stream. Archeological evidence was found which indicates signs of inhabitation from the Iron Age to the Hellenistic Period (1200 BCE to 167 BCE).

Rannen today has a population of about 450 (Carta 1986:381), all being Karaite Jews. In the years 1948 to 1950 about 2000 Karaite Jewish settlers from Egypt settled in Ramleh, Ashdod, Beer Sheva and the above-mentioned two agricultural settlements.

Concerning the numbers of the Karaite Jews in Israel today there is a reluctance to give these details, as the Karaite Jews, who consider themselves no different from the rest of the Jewish population, do not have a published head count of their community. Thus when asking of their numbers in Israel today the answer can vary from 20 000 souls to 30 000. This is also in keeping with the Karaite law prohibiting the taking of a census, (Encyclopaedia Judaica, 1971, vol.10:778).

5.3 Administration of religious affairs

With the Sinai Campaign of 1956, many more Karaite Jews came to Israel from the once great centre in Egypt. Due to the prevailing socio-economic conditions in Israel, the middle class, merchant oriented settlers did not find the lure of the *Moshav* life to their liking.

They were to find employment on the smaller towns engaging in building and construction. Later many of them moved away from these trades and returned to the more traditional ones, such as gold and silver craftsmen. (Schur 1992:142).

In Egypt most adult males were engaged in these crafts and in the trade of precious metals and jewellery. Many had no formal higher education and very few any form of tertiary education. There were some who took advantage of modern educational opportunities in Egypt and undertook careers in law, medicine and engineering. (Colligan 190:53).

As has been shown in this work, the Karaite Jews never had a world centre or union. There had been main centres such as 11th cent Jerusalem, 14th cent Constantinople, 19th cent Eupatoria or early 20th cent Egypt. These centres exerted a strong influence, but no formal claim to a world centre had been made.

Due to the sophisticated organisational talents which were brought with them from Egypt the Karaite Jews set up a well organised system of representation, with their headquarters in Ramleh. Over the years this has developed and a new administrative centre and synagogue have been built.

Early in 1949 one of the arrivals from Egypt was Solomon Shabtai Nono, who had been a teacher of Hebrew in Cairo. Through his efforts the newly arriving Karaites from Egypt were allowed to settle in the Ramleh area, which had been an important Karaite centre in the tenth and eleventh centuries. Nono later became the Chief Hakham of the Karaite Jews in Israel. He died in 1976. The Chief Hakhamim who followed him were David Yerushalmi, Yosef Marzuk, Ovadiah Matzliah, Hayim Levi and the present incumbent, Eliyahu Marzuk, who is based in Ofaqim.

Thus the establishment of a World Centre was exclusively due to the efforts of the Egyptian Karaite Jews who were dominant over the much smaller groups from Iraq and Turkey. They brought with them a tradition of journals and newspapers (as shown in the previous chapter). This they continued as evident in their journal 'Bnei Miqra', which was first published in 1960. This appears about every two months, according to material input and budgetary availability.

The headquarters and synagogue of Ramleh portrays the Egyptian roots of those who established it and many of whom actually built it. This complex includes meeting rooms, offices, a courthouse for the *Bet Din*, and a library.

There is an executive secretary and a community spokesperson, and three councils:

1. The Council of the *Hakhamim* with eleven members, all qualified rabbis. They deliberate and decide on matters of Karaite *halakhah*.
2. The Religious Council of 25 delegates some of whom receive a salary from the community. They nominate the members of the above Council of *Hakhamim*.
3. The National Council made up of 37 members, 31 of whom represent the various Karaite communities in Israel. This council is sub-divided into committees such as one for judicial affairs, for publications, for property, for burial services, for overseas contacts and for the remuneration of the *Hakhamim* (Schur 1992: 145).

In order to administer the daily activities of the different communities in matters of organisation and religion, the Central Committee of Karaite Jews asked for candidates for local committees who would be prepared and able to give of their time and talent to the community. Elections were held in the first half of 1993 and in June 1993 the results were published as follows:

Ramleh:

Community Rabbi	Avraham ben Salim Gever
	Thirteen committee members including one woman.

Ashdod:

Community Rabbi	Moshe ben Avraham Feruz
Assistant Rabbi	Haim ben Vita Hafetz
	Thirteen committee members

Ofaqim:

Community and Chief Rabbi	Eliyahu ben Yitzhak Marzuk
	Fourteen committee members

Beer Sheva:

Community Rabbi	Avraham ben Baruch Sergani
Community leader	Cantor Yehoshua ben Simhon Feruz

Eight committee members

Jerusalem:

Rabbi of the Sanctuary

Yosef ben Musa Mourad

Community Rabbi

Moshe ben Sa'ad Dabah

Six committee members including one woman

Kiryat Gat:

Five committee members including one woman.

(source: Bnei Miqra Monthly June 1993:6)

As to the actual numbers of Karaite Jews in Israel, there are two factors which cloud any accurate figure. Firstly there is the Biblical injunction against census taking, and the second being that in 1961 a census form was circulated by the Israeli Department of the Interior designating the Karaites Jews as "other".

The Karaite leaders turned to the then Israeli President, Levi Eshkol, protesting as being defined as "not Jewish". They argued that this definition was not in accordance with the Law of Return which enables them to immigrate to Israel as Jews.

5.4 The Legal Battle in the Knesset.

(for a full report of Knesset transactions see Appendix).

Prior to a brief view of the lengthy war that has been waged in the Israeli Parliament, the Knesset, since the early days of the State, mention should be made of the one person, who for many years assisted the Karaite Jews in their struggle for recognition and equal legal status.

This was Israel's second president, Yitshak ben Zvi (1884-1963). Ben Zvi expressed special interest in marginal Jewish groups and wrote about them. In the eyes of the Karaite Jews, he confirmed both their Jewishness and their Zionism which gave them

more credibility to the outside world and to themselves. He was seen on many occasions praying in their synagogues in Ramleh and on the Moshav Matsliah, which he helped rename from Yeshrash in order to honour the 10th century CE Karaite sage and lover of Zion, Abu al-Surri Sahl ben Matsliah. This choice was multi-purpose. Apart from the historical importance of the Sage and the translated meaning of the name (להצליח=ח.ל.ח to succeed), this also established the relationship of Karaite history to the Holy Land and that they too had predecessors worthy of mention. Moreover, ben Zvi took the initiative to intercede with the Ministry of Religious Affairs, a stronghold of Rabbanite Orthodoxy, in order to secure salaries for the Karaite rabbis. The initial step that needed to be taken was designating which department within the ministry would supervise Karaite affairs. This decision included in which religious domain the Karaites would be placed. In 1958, the Karaites (they were not even called Karaite Jews) were assigned to the Department of Muslim and Druze Affairs. They protested this designation and were then placed in the category of Karaite Jews, Samaritans and '*nidachei yisrael*', (isolated communities of Israel), which included the Indian Jews, Bnei Yisrael and the Falashas of Ethiopia. The Karaites were again disenchanted, complaining that a blemish in their Jewishness was implied. (Colligan, 1980:76-80)

As to their self administration, they pointed out that in British mandatory times various Christian denominations and even the Druze community were allowed to manage their own affairs, and continued to do so. They felt slighted because an Islamic sect had been granted a greater privilege than a Jewish one.

Yet again they turned to the leaders of state, this time to the then Prime Minister, David ben Gurion (1886-1973). Again they mentioned their roots, going back to the Temple period, but emphasized their contribution to the rebuilding of the land, their common destiny and their similar aspirations. They did not request a separate religious community, but only recognition as part of the Jewish people.

This was strengthened by many of the lengthy Knesset debates. Below follows the address of Emma Talmi of the Mapam Labour Movement to the Knesset on 31st June, 1966, proceeding No. 1570:45:

"We read in the pamphlet submitted to us— and this is the last problem to which I will refer—that there are in Israel about ten thousand Karaites. And it is written that the head of this community is also the head of their religious court and is authorized to record marriages of the members of the Jewish Karaites in Israel. Immediately one asks oneself; and who is authorized to arrange divorces? The author is silent. You further inquire; Does this mean that the Karaites are condemned to a Catholic marriage, with no possibility of divorce? And according to the following it is clear that this position is more severe than a Catholic marriage, because in a Catholic marriage something is clear and certain, but here chaos and uncertainty reign as to the position of the men, the women and the children.

About five years ago the Ministry of Religious Affairs issued to the council of Karaite Jews official forms to record both marriages and divorces. This was done once only, in order to make use of them, by mutual consent until a solution was found. The question is therefore asked; how many marriages and divorces were conducted during the following years on forms which were sent out only once?

Is there legal status to these documents, or at least is there legal status to the divorce certificates which were registered by the head of the community on an official document and signed by the leaders of the Karaites? Will the divorce change the voters' role? Will the entry in the identity document be changed from those who received their divorce by means of the official document of the Ministry of Religious Affairs?

If the entry is not changed then there is an injustice done to those who are divorced, they remain married. If it is recorded, on grounds of a document that has no legal

value, then here there is public deception. In both cases someone is being led astray, clearly. One of the two sides is being led astray.

It became apparent that the single delivery of forms were not used up, and we would not have known about this had there not been isolated cases which reached the court.

Here is one of these cases: Mr. Marzuk went to the Supreme Court against the Minister of Religious Affairs, that he may give an explanation why validity was withheld from a divorce certificate granted on 13 Elul, 5725. Mr. Marzuk is a Karaite Jew and his spouse is a Karaite. Here there was marriage within one community. And here the assistant attorney general, Mr. Zvi Tarlo, in the high court case 362/65, with power of attorney of the Minister of Religious Affairs, says:

"There is no doubt that the document which purports to be a divorce decree of the couple Marzuk has no legal status and the ministry did not intend to give it legal status according to any law". These things enraged the Karaite Jews. They enraged every citizen of the state who understood what was going on here. If the ministry of Religious Affairs had no intention to extend legal status, then why did it issue the forms? Why was another route not suggested? Everyone whose marriage or divorce was registered during those years on those selfsame forms, even if the divorce was by mutual consent, is their divorce legal? And the woman who was divorced asks herself: Am I not actually remaining, heaven forbid, his wife? And if she remarries what is the fate of her children? Notwithstanding the fine official document of the Ministry of Religious Affairs, are they not bastards?

Concerning the Divorce Certificate of Marzuk, the legal advisor established in a letter to the Ministry of Religious Affairs, dated 2.12.1965, "there will be no alteration in the citizen's registration role based on the above document". If so we must ask: What is the status of Sara Marzuk? She is not a divorcee, because the Minister of Religious Affairs has no authority to validate the divorce certificate or to instruct the cancellation of a divorce certificate. What is her personal status?

And similarly with all those whose affairs have not come to the courts and been aired.

Members of the Knesset, please note that I am protecting the rights of religious Jews to live according to their tradition and customs, who do not identify in all matters as accepted according to the Orthodox version. Regarding the secular(Jews)-- the religious ritual usually stands as a conflict of conscience. With the Karaites it is also a matter of conscience and a matter of faith, which in religious tradition is different, and therefore you must show sensitivity. What will the law be regarding the Conservative and Reform Jews? MK Refael promised us from this podium, that they will receive synagogues and all that they require. I wish to ask him and the Minister of Religious Affairs: Will marriage and divorce according to their custom be acceptable? And if so, howso?

Members of the Knesset, there was a time that both the Minister of Religious Affairs and also the Chief Rabbinate did not acknowledge the Karaite Jews as Jews, but on the 8th August, 1960, Mr. Haim Levi, secretary of the Karaite Jewish Community in Israel received a letter from the then Prime Minister of Israel, David ben Gurion, who wrote to them that "in his opinion, and that of the President of the State of Israel, and in the opinion of the Minister of Religious Affairs, you (the Karaite Jews) are recognized as the Karaite Jewish Community and you are not within the non-Jewish minorities".

I venture to assume that our intervention in the Knesset has contributed somewhat and the matters have started to move.

I conclude my words and demand that the Ministry of Religious Affairs come to clear-cut conclusions and do not wittingly introduce chaos into ten thousand of the public, who desire to live in our State in freedom and with the security that their marriages are marriages, that their divorces are divorces and that their children are legitimate.

One of the Karaite families was executed by order of the authorities in Egypt, went to the gallows as a Jew, that is, he was condemned to die as a Jew. It is our duty to permit them also to live as Jews in all ways in their birthplace, in the State of Israel".

The dilemma of this people without a law was highlighted by the above mentioned Marzuk case which had been brought before the Karaite religious court because of marital difficulties, much of which was not mentioned in the Knesset debate. The husband had forced his wife to have sexual intercourse during her menstrual period and on the Sabbath, both being grounds for divorce according to Karaite law, but not under rabbinic law. This indicates the extent to which Karaite culture is based on purity whereas in Rabbinic terms it is a positive act on the Sabbath. The husband refused to accept the terms of the divorce which favoured the wife, and as Karaite law does not require the Get, the Divorce Bill, to be put in the hand of the woman, this was delivered by mail. In the meantime the woman remarried another Karaite and had two children. In 1965, the first husband brought a case against the Karaite judges to the Supreme Court, arguing that he did not agree with the opinions or the customs of his own community, and wanted to accept Rabbinic Oral Law and be allowed to marry any Jew he pleased. In addition he wanted to have his personal status returned to that of bachelor, but the court argued that there was no proof that his marriage had not been legitimate. The court argued that to deny the validity of his marriage would be a stain on the woman's honour and to issue him a divorce would suggest that the children by her second marriage were not legitimate, i.e. *Mamzerim*.

(Colligan 1980:84-87).

In his summing up, the head of the public commission, Justice Silberg explained:

"The Karaites are not as the Druze, an ally of the Jewish people, but an integral part of the people, and in their belongingness to the nation there is no difference between them and the rest of the Jews. They suffered in Nazi Europe and in Egypt as Jews,

they immigrated to Israel under the Law of Return. They participate as Jews in all branches of public activity in the country."

Justice Silberg suggested that it was inhumane for such a large community to be without a law, their marriages not marriages and their divorces not divorces. He further suggested that a law be introduced providing the Karaites with their own authority.

The following is a translation of the official Knesset transcript number 1833:31 of the 24th May, 1961, in which the Karaite claim as to the unfair treatment they received at the hands of the Department of Interior census form.

5.4.1 Designation of the Karaites in the Population Census as a non-Jewish Community. (Motion for the Agenda)

Chairman: A. ben Eliezer. The chair recognises Knesset member Talmi (Mapam) to introduce the motion for the agenda: Designation of the Karaites in the Population Census as a non-Jewish community.

Emma Talmi (Mapam) Mr Chairman, Honourable Knesset. In the population census as has already been mentioned, a special column was included especially for the Karaites, to exclude them as Jews. This was not done as a community census, which was also a possibility. The question arises: To which community do the Karaites belong? –Ashkenazi, Sefaradi, Yemenite, Polish, Boharian, American or whatever? Are the Karaites to be numbered in a similar way to one of these. But this did not happen. They were counted as "another people" ie. not Jewish. In this context there is concealed a grave insult, firstly an insult to the Law of Return, because by this law

they came to Israel as Jews, and insult has been cast upon the Karaites by their being given a special sub-section. They consider themselves as Jews, an inseparable section of the Jewish people.

This same slip of the pen, if it was indeed in error, is also very poor show for the concept of national unity, on which so much emphasis is being put.

On the voting paper it is detailed as follows: State whether you are Jewish, Muslim, Christian, Druze. When you read the word "Jew", you ask yourself: What is the intention— to religion or nation? And because at the head of the column there is no heading which explains the intention, you find with caution that which is common to these: Jew, Muslim, Druze, Christian— the common concept to all of these is: Religion. There is a religion of Judaism, a religion of Islam, a religion of Christianity— but there is no column for.....(interjection) correct, and about this I am complaining.

Because we want to comply with the Mitzva (Commandment) of "being a Jew", every one according to his conscience, we look for the column in which we can write that we are Jews. There is no place here for tens of thousands of Israeli Jews who are not religious.

They are left without a column, and there is no place at all for them to express their national belonging . This is a serious fault.

I read in yesterday's press that there is real civil unrest in various places. And some circles state that the concept "Jew" applies both to nationality and to religion.

Minister of the Interior H.M Shapira.

Is this a census world outlook, or a demographic census?

Emma Talmi (Mapam): This is a census which was meant to answer the question if one feels himself a Jew by nationality, but this is not asked here.

I want to ask you Mr. Minister: Is there no Jewish nation? Is there no Jewish people?

Who are we? Is there no insult in this terrible question, that I am compelled to ask from this platform?

I read in the press that many, as a sign of protest, have especially filled in the block

"other", perhaps because there the Karaites are to be found, and the Karaites are Jews. I would not be surprised if they took this step in answering "in any case I have no place in this census". Because of the injustice which has been perpetrated against the Karaites, being excluded from the Jewish people, my family, my kibbutz and I are intervening Injustice has been done to the Karaites, they are insulted and in their hurt they turned to the State President.....

All that has been said does not alter the fact that the Karaites have been insulted and turned to the State President. The President turned to those responsible for the census, who in turn turned to the Ministry of Religious Affairs or the Ministry of the Rabbinate who informed them that it was in order for them to ignore these columns and call themselves "Jews". This is very nice and if so the question is to be asked: "Why did you insult all of us? for the insult remains. While the written difference remains, that special column, the insult remains.

the debate continued.....

Member of Knesset Talmi continued : The designation of the Karaites in the population census is, in my opinion, another retrogressive step, even when compared to the sorrowful situation which we were in previously. What was the position up to now? Of what were we aware until this matter created havoc in Israel. We knew that the Karaite Jews and the Rabbanite Jews prohibited intermarriage between themselves. And why was this? Because the Karaites believe only in the Scriptures. And based on this their laws of divorce differ. And due to this they are considered bastards. But even bastards— as acknowledged by all— are Jews. They are Jews in all respects. If we enlarge the concept 'all', then theoretically a Karaite can even be a Rabbi. Only one thing he is forbidden to do: marriage with a daughter of the Rabbanite community. Apart from marriage the Karaites are Jews in all aspects. This was the position up to now. And in parenthesis: Forbidding marriage is a crucial matter, and the problem will not disappear until a solution is found.

In conclusion I say: This census puts us in reverse, here the Karaites are classified apart from the whole of the Jewish people. A census which causes unnecessary division or which divides the Jewish mainstream from other Jewish trends, this is a misleading census; a census which reveals little and conceals twice as much, this is an erroneous census. We demand a revision of the ballot paper.

5.5 The Karaite Beth Din.

One of the obstacles that the Karaite Jews have faced in asserting their claim to complete Jewishness is their lack of legal jurisdiction over matters of divorce within their own community. While some Rabbanites suggest that even Karaite marriages are invalid, the Karaites have been able to perform weddings for Karaite couples without any obstruction. Divorces have, however, been totally unacceptable to the Rabbanites. Nevertheless, the Karaites have persisted in administering a Beth Din which deals with all religious matters when they arise. This is housed in the community's centre in Ramleh. The court has three judges to hear the cases brought before it, and has the facility of five judges in case of appeal. Yet, there has never been an appeal, as if one party does not accept a decision, it merely insists that the court has no authority and will turn elsewhere, either to a Rabbanite Beth Din or to the civil courts.

In Cairo the Beth Din issued licences to the ritual slaughterers and inspected the *kashrut* of the six Karaite butcher shops. (For details of Karaite Slaughter see 6.1.8).

5.6 Publications

Unlike the Rabbanites, who produced a flood of Jewish printed books from the 1470's to the present day, the Karaites ignored the printing press down to the 18th century, and the very few that were printed, were printed by Rabbanite printers. The earliest Karaite printed work is an edition of the liturgy, set up in 1528/29 by Rabbanite typesetters at the press of Daniel Bomberg in Venice. The next Karaite book to come off the press, Bashyazi's "*Addereth Eliyahu*", was produced at Constantinople in 1530/31 by Gershom b. Moses, a member of the great Rabbanite family of master printers, the Soncinos. Two more works, Aaron the Elder's "*Kelil Yofi*" and Judah Fuki's "*Sha'ar Yehudah*", were published in 1581 and 1582 respectively, likewise at Constantinople, by unnamed, but no doubt Rabbanite, printers. In the 17th century only one Karaite work, Joseph Malinovski's "*Ha-Elef Lekha*", was published, at Amsterdam in 1643 by the press of Manasseh b. Israel.

The first Karaite printers were the brothers Afdah and Shabbetai Yeraqa, who issued a few sample sheets of the liturgy at Constantinople, in 1733, under the auspices of the Crimean Karaite leader Isaac Sinani. They then moved to Chufat-Kale, in the Crimea, and there produced in 1734 a larger sample of their work, an edition of the *Haftarot*. This was followed by an edition of the entire liturgy in 1737 and a booklet of benedictions in 1741; an edition of the Rabbanite liturgy according to the rite of Feodosiya and Karasubazar (in the Crimea) was also issued in 1735. The press apparently went out of business soon after 1741, although why Isaac Sinani, who lived on until 1756, permitted it to fall into disuse, is not known. In 1804, several years after the Crimea was annexed to Russia, a new Karaite press was organised, likewise at Chufat-Kale, and between 1804 and 1806 it produced four works – revised editions

of the liturgy and the benedictions, and two tracts on the calendar. Then it too went out of existence, and the Karaite books printed later came from non-Karaite presses in Vienna and Ortakoy (near Constantinople). The first more or less successful Karaite press was established in 1833 in Eupatoria, which published some important texts.

The reason for this paucity of Karaite printing can only be conjectured. Presumably it was their traditional rigid conservatism and dislike of innovations, however beneficial, and the small demand for books which made printing for the Karaite market an unprofitable undertaking. (Encyclopedia Judaica, 1971: vol.10:782).

In Egypt of the 19th and 20th century, the literary output was large. Because the common bond was, in the main, being mainly of Egyptian descent and culture; Arabic was the spoken and written language. This explains why all periodicals from 1897 to 1956 were in Arabic.

According to Landau, (1976:100) there were only two important contributors to the Karaite literary scene, Murad Farag and Da'ud Husni (1876-1937), whose main literary activities were in the field of music and libretta.

Rabbi Haham Shlomo Kohen (1831-1893), was one of the most active literary personages who served as Chief Rabbi from 1873 to 1876 and was also a noted poet, philosopher and Hebrew scholar. In his lifetime he wrote four books, the most important being "*Yeri'ot Shlomo*". The book is in two parts, each comprising twenty articles and both parts discuss Judaism in general, and Karaism in particular. This was published in Hebrew in Israel in 1985. In subsequent volumes he wrote a history of the Karaites in Istanbul and later an explanation of the correct way to write Hebrew. His fourth, and last book was "*Gefen ha-Adderet*", a selection and summary of *Adderet Eliyahu* by the 15th century Turkish Karaite, Elijah Bashyazi.

This contains a dedication to Bashyazi as follows:

**להרב אליהו בן משה בשייצי
החכם השלם והפוסק האחרון
חובר בקושטא, בשנת ה'תרכ"ד
1860-5622**

To Rabbi Elijah ben Moses Bashyazi.

The perfect sage, the final arbiter.

Constantinople, 1860 CE.

The Work of Jacob Mann.

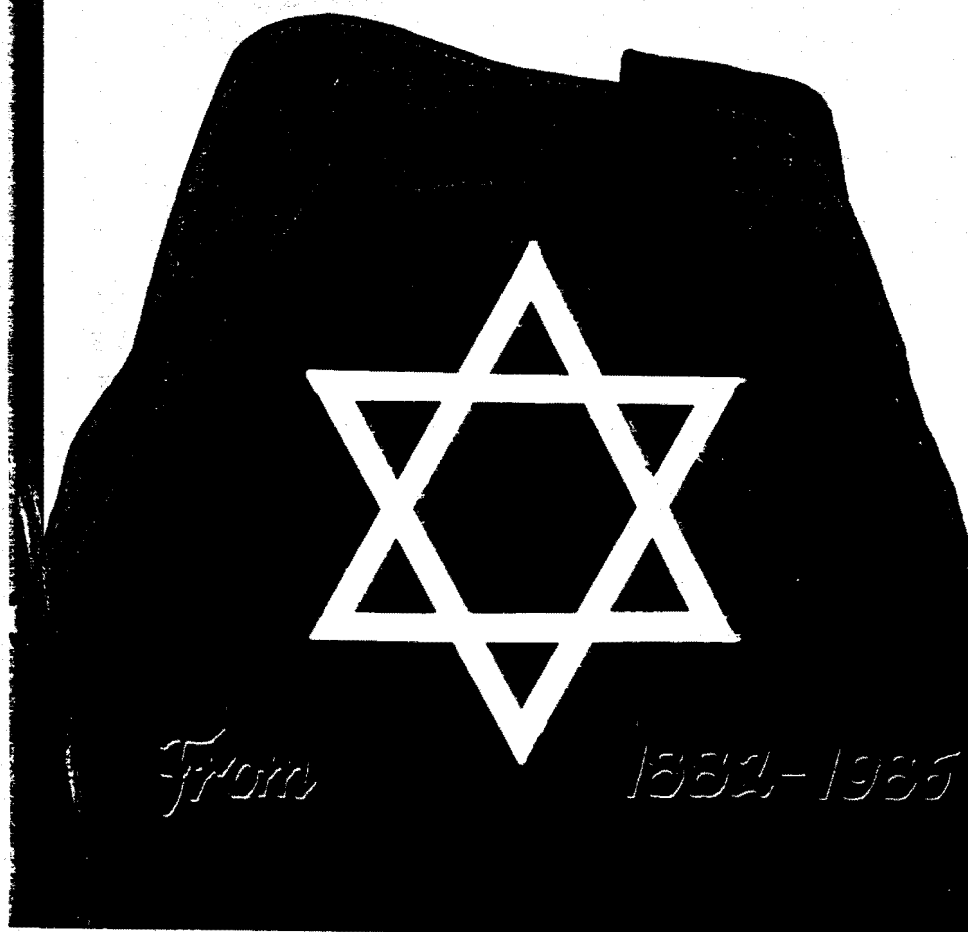
In his monumental work, "Texts and Studies in Jewish History and Literature", Jacob Mann devotes his second volume to "the affairs of the Karaites in the Near East, Turkey and the Crimea, and Lithuania and Poland", (Mann, 1935: v).

Section One of "Texts and Studies" deals with the output of the Karaite authors in Palestine till the First Crusade, and includes the works of most of the scholars as outlined in Chapter One of this work, including such writers as al-Qumisi, ben Yeruham, Matzliah, Yefet ben Ali, ibn Nuh, and others.

In the Appendices, extracts of these authors' works are given with commentaries by the author. Most of these MS are from the Firkowicz and Mosseri Cairo Collections.

Many legal documents are extant and are well documented in Mann's work. These include betrothal, marriage and divorce documents, showing in some cases the marriage between Karaite and Rabbanite Jews, (Mann 1935:159). Here again the sources are Firkowicz (St. Petersburg Public Library), the Taylor-Schechter Collection (Cambridge), the British Museum and the Bodlian (Oxford).

The Karaite Jews of Egypt



The Karaite Jews of Egypt, by Mourad el-Kodsi
Published in Lyons, N.Y., 1987.



Frontispiece of Daily Prayerbook (vol 1)
by Rabbi Yoseph Mordehai.
Published in Ramleh 5749-1988/9



Frontispiece of Sabbath Prayerbook (vol 1)
by Rabbi Yoseph Mordehai.
Published in Ramleh 5749-1988/9

בהנ"י

עש"ר

עמ"י

ס פ ר

ג פ נ ה א ד ר ת

מחיבורי הרב הכולל

הר"ר שלמה בן כמה"ר אפידה הכהן

איש השכל וזך הרעיון וצ"ל

להר"ר אליהו בן משה בשייצי

החכם השלם והפוסק האחרון וצ"ל

והוא קצור פסקי חז"ל על פי ספר המצוות

אדרת אליהו

חובר

בשנת התרכ"ב (5622—1860 לסה"נ)

בקושטא

Frontispiece of Gefen haAderret

by Rabbi Elijah b. Moshe Bashyazi.

First Published in Constantinople 1860-5622

This Edition, Ramleh, 1987-5748

עש"ו

עמ"י

בהנ"ו



ספר

החינוך

מעין חיים

מבוסס על ספרי המצוות „גן עדן” ו„אדרת אליהו”
כולל ליקוטים מספרי ההלכה והדין של חכמינו ע"ה
מחיבורו של הרב הכולל

הר"ר חיים יצ"ו בן יצחק הלוי זצ"ל
הרב הראשי

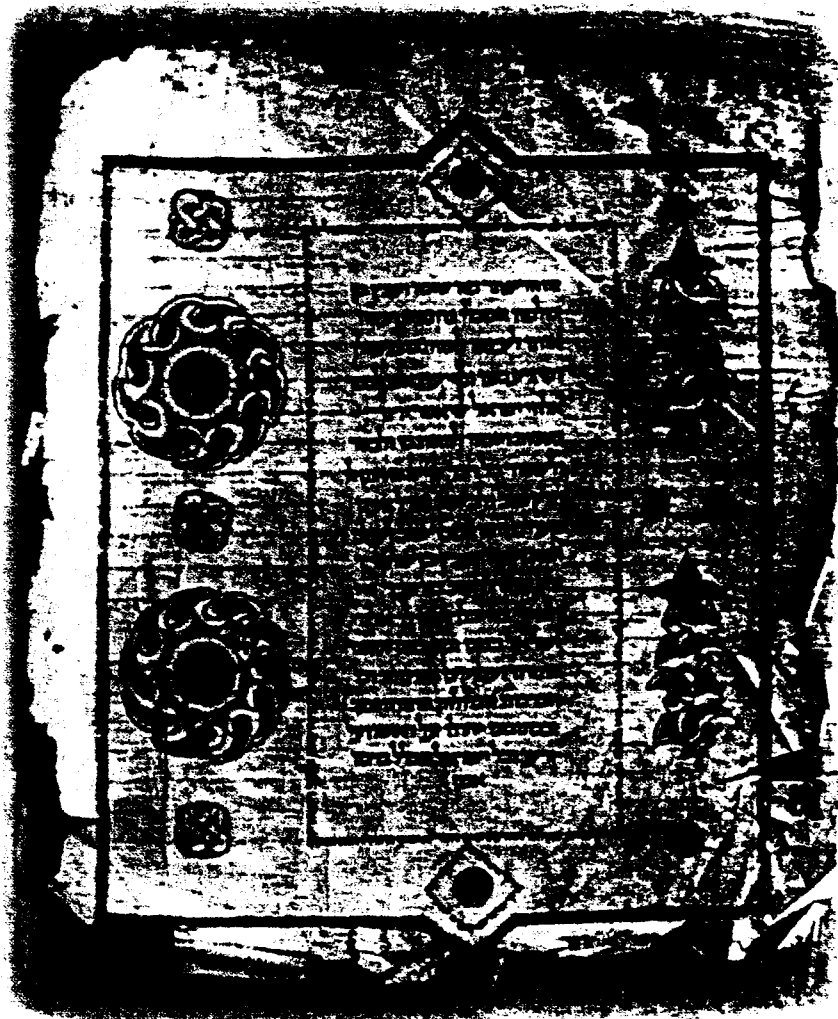
חובר בשנת התשמ"ב לפ"ק — 1982

רמלה — א"י

Frontispiece of Source of Life
by Rabbi Hayim b. Yitzhak haLevi.
Published in Ramleh 5742-1982

ספר הולדות חיים

אישים וליקוטים הילכתיים
היהודים הקדאים



דף עלי
מכתר של רבנו אהרון בן אשר זצ"ל

Cover of History of Life by R. Hayim b. Yitzhak haLevi
with Facsimile of page of Keter Torah by Aaron b. Asher
This edition published in Ramleh, 1994-5755.

בטאון

בטאון היהדות הקראית העולמית בישראל



* נשיא המדינה מר עזר ויצמן מדליק נר שמן זית טהור בעת ביקורו בבית הכנסת של קהילתינו באשדוד יחד עם רעייתו ראומה וראש העיר מר צבי צילקר

גליון 29 * טבת התשנ"ה * דצמבר 1994

Cover of Quarterly Journal, B'nei Miqra, vol 29,
December 1994-5755. Printed in Ramleh for the Religious
Council of Karaite Jews in Ramleh, Israel.

In the next part, Chapter 4, Mann deals with the works of the Karaite *Katib* (scribe)

Moses b. Samuel and his vicissitudes in Damascus in the 14th Century CE.

Portions of the work of Moses ben Samuel are recorded here, being from the Firkowicz Collection and from Berlin. The literary exercises, all in verse, of Moses b. Samuel were gathered by one of his sons into a compact collection.

Mann's publications, and those later by Nemoy, appear to be the first of these works since the 14th century.

Mann next deals with Karaite Memorial Lists, a practice of calling out the names of the departed in the synagogues on Yom Kippur and other occasions. (This is the custom of some Orthodox and Reform Synagogues today). These lists deal with Karaite families in Cairo and Damascus. The value of these lists are in establishing the genealogies of many celebrities that figure in Jewish history of those cities. Much of this was published by such scholars as Gaster, Greenstone and Poznanski.

In further sections Mann covers the publications of the Karaite Jews of Byzantium, Turkey and the Crimea, Lithuania and Poland. Here he deals with the mass of correspondence between many Karaite centres on various *halahkic* matters such as marriage and divorce, lighting of candles and their burning during the Sabbath, and also civil letters of trade and commerce, and matters of properties.

In recent years the centre in Ramleh has produced a variety of books mainly for the use in the Karaite synagogues in Israel and the diaspora, but also reprints of some of the classical doctrinal works of Karaite scholars. Below is a complete list of these publications as available in 1995. (note: The term רב i.e. Rabbi, is widely used, but with the original meaning of 'teacher').

Name of Publication	Author	Comments
History of the Karaite Jews	Rabbi Yosef Elgamil	incl. work by el-Kodsi
Keter Torah	R. Aaron of Nicomedia	commentary of the Torah
Adereth Eliyahu	R. Eliyahu Bashyazi	book of laws and customs
Gan Eden	R. Aaron of Nicomedia	book of laws and customs
Sabbath Prayer Book	Rabbi Yoseph Mordehai	two volumes
Daily Prayer Book	Rabbi Yoseph Mordehai	two volumes
Pentateuch	R. Aaron b. Asher	with seven weekly sections according to Caleb Afendopolo
Abstract of Religious Writings	Caleb Afendopolo	customs and practices
Turei Zahav	Rabbi Simha Lutzki	
Yad Mordehai	Rabbi Mordehai Nissan	history of the division of the Jewish people
Strengthening of Faith	R. Yitzhak ha Rofeh	polemic between Jewish and Christian clergy
Personal Status	Adv. Morad Faraj	
Davar Devor	Rabbi Shmuel Figat	legends and stories
Igerret Zug veNifrad	R. Abraham Lutzki	personal laws
Misat Binyamin	R. Benjamin al-Nahwandi	Book of Rules
Passover Book		
Gefen ha Aderret	R. Elijah b Moshe Bashyazi	based on Aderret Eliyahu above
Source of Life	R. Hayim b.Yitzhak haLevi	study book for Karaite Jewish youth
History of Life	R. Hayim b.Yitzhak haLevi	history of Karaite sages

Thus we see a resurgence of literary activity within the Karaite Jewish community.

The Religious Centre in Ramleh also produces a quarterly journal which is distributed to all the community's members. This is called B'nei Miqra and covers such matters as religious affairs within the community and in dealings with the Rabbinat of Israel, aspects of regional interest, times of services and births, bnei mitzvah, marriages and deaths. Some thirty editions have been published (by June 1995), but the number of copies printed was not revealed.

The Work of el-Kodsi

Not only from their centre in Ramleh, Israel, has there been a resurgence, if but small, of publication of books and journals. One of the main authoritative works on the history of the Karaite Jews in Egypt has been written by the doyen of the Karaite Egyptian Jews now in the United States. In his major work of 1987, "The Karaite Jews of Egypt, 1882-1986", Mourad el-Kodsi has made a considerable contribution to research into the history of the Karaite Jews.

This was followed by his "Karaite Communities in Poland, Lithuania, Russia and Crimea" in 1993. Whereas this is not a complete work it is a valuable starting point for future research.

Mourad el-Kodsi was born in Cairo in 1919. He was awarded a BA degree in history from Cairo University in 1942, and a master's degree in education from the University of Rochester in 1963. He teaches French and Arabic and with his wife, is continuing research into Karaite history.

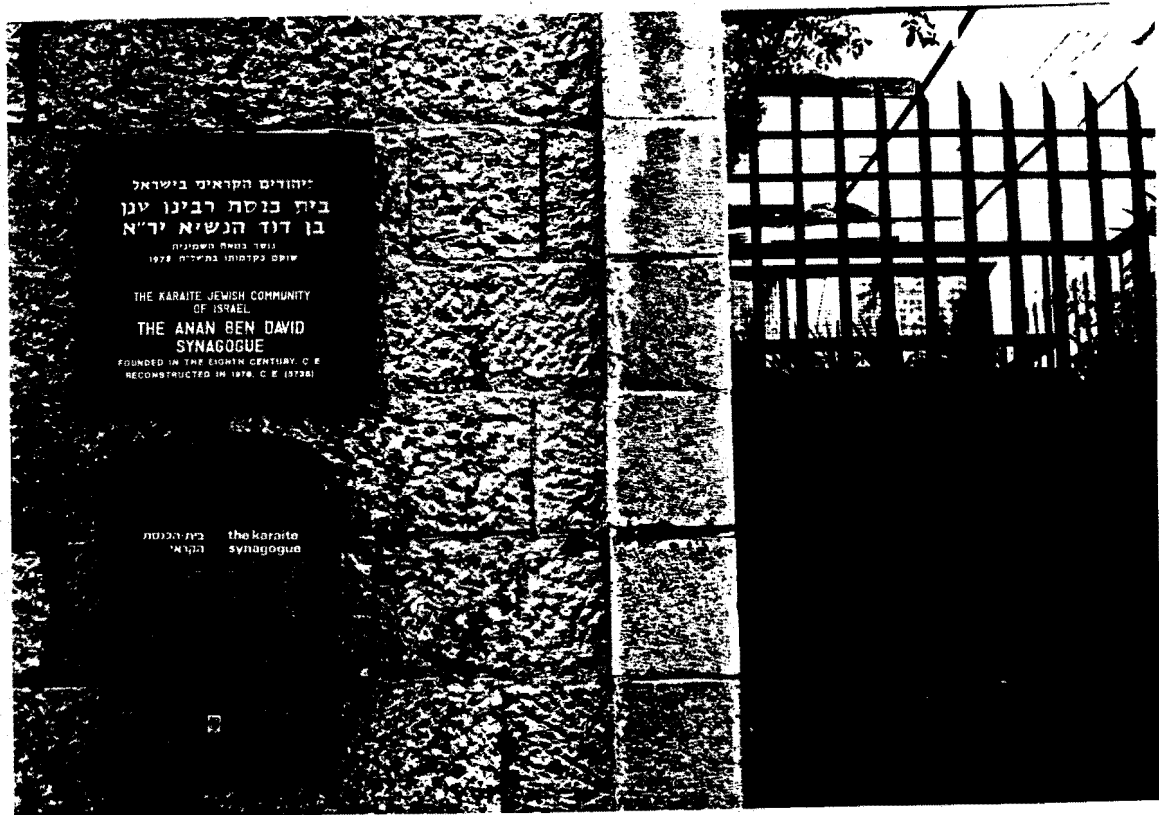
So valuable was his contribution to Karaite history that his work was freely borrowed by Algamil in his book, "Karaite Jewry in Egypt in Modern Times", published in Ramleh in 1985, with no recognition nor acknowledgement. This was however rectified with rubber overstamp which reads : " THE AUTHOR WAS SUPPORTED BY WRITTEN KNOWLEDGE OF *Mr. MOURAD ELKODSI*", in Hebrew and English.

CHAPTER SIX. AREAS OF DIVERGENCE OF BELIEF AND PRACTICE

6.1 Areas of divergence of belief and practice from Talmudic Judaism.

This section is mainly based on the *Information Brochure*, p 7, published (undated) by The Religious Council, Universal Karaite Judaism, Israel. This publication, the full translation of which can be found in the appendix, was translated by the author of this work as a token of appreciation for the co-operation received from the spokesman of the Karaite Council, Mr Yosef D'vir, and presented to him in the Council's office in Ramleh, Israel, on May 1st, 1994.

- 6.1 The Principles of Faith**
- 6.2 The Synagogue**
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Entrance to the ANAN BEN DAVID Synagogue in Jerusalem.

The lower plaque reads:

THE KARAITE SYNAGOGUE

The courtyard and the surrounding area comprise the centre of the Karaite community in Jerusalem, dating some time after the year 5160 (1400).

At that time the Karaites left their original settlement in Jerusalem, the *Tsela ha-Elef*, which had been established in the 9th cent CE.

The ancient Karaite synagogue attributed to Anan b. David, the founder of the Karaite sect in Baghdad in the middle of the eighth century, is found in the cellar of this courtyard. The courtyard was damaged in the War of Independence and the synagogue looted. After the reunification of Jerusalem, the courtyard was reconstructed and the restored synagogue was dedicated on the festival of *Sukkot*, 5742 (October, 1981).

6.1 The Ten Principles of Faith.

Our Sages (of blessed memory) were the first to determine the Ten Principles of Faith, which each and every Jew is obliged to accept. (This is parallel to the Rabbanite *Thirteen Principles of Faith* as expounded in the *Yigdal* and *Ani Ma'amin* prayers, and based on the formulation of Maimonides in his *Commentary to the Mishnah*, (*Sanhedrin ch 10*), (Artscroll Siddur p 178):

The Ten Principles of Karaite Faith are:

- 1. To believe in the reality of God, that He is One and there is none like Him, as it is written:**
Hear O Israel, the Lord is our God, the Lord is One. (Deut. 6:4).
- 2. The Holy One, blessed be He, has no body, He is spiritual and has no physical form.**
- 3. God alone created the earth from naught, by his wisdom, His custom and His grace. He was and will be forever.**
- 4. Only to the Holy One, blessed be He, is the greatness, the power, the might, the victory, the majesty and the glory. Thus it is fitting to serve Him, to pray to Him and to fear Him, and no one else, as it is written: *Unless the Lord had been my help, my soul had soon dwelt in silence (Psalm 94:17).***
- 5. The Holy One, blessed be He, sent Moses His faithful servant and He is the father of the Prophets, as it is written: *And there has not arisen a prophet since in Israel like Moses, whom the Lord knew face to face (Deut 34:10).***
- 6. The Holy One, blessed be He, gave to Moses the Torah of truth, which is in our possession today, and it is one and the only one, pure and everlasting, written in the Holy Language, and will not be changed for eternity. It is forbidden to**

add thereto, or to diminish therefrom, and it is our duty to learn the Holy Language in order to understand the Torah and to keep its commandments.

7. The Holy One, blessed be He, sent the Prophets of Truth and Righteousness as words of proof that He will not divert His attention from upon us, and that Elijah the Prophet will come to us speedily, before the great and awesome Day of Judgement.
8. The Holy One, blessed be He, knows the innermost thoughts of man, and his deeds, and grants good to they that do good, and punishes the wicked, as it is written : *Gives each according to his ways, and according to the fruit of his doings* (Jer. 32:19).
9. To believe that the King, the Messiah, will come from the house of David, to be a Faithful Shepherd, to redeem Israel from her dispersion, to gather her in and to rebuild the Temple.
10. To believe that at the End of Days the Lord will revive our dead.

6.2 The Synagogue

The synagogue is regarded as a 'Small Sanctuary' by the Karaite Jews. The synagogue is divided into three main sections:

The Hall

The Sanctuary, with the pulpit for the cantor

The Holy of Holies which faces Jerusalem

The women's section is separated from the Hall.

On entering the synagogue shoes are removed, as it is written: *Put off thy shoes from thy feet, for the place whereon thou standest is holy ground* (Ex 3:5).

The floor of the synagogue is covered with carpets and there are no pews nor benches.

This is to facilitate all conditions of prayer, viz. bowing, kneeling, prostrating oneself and stretching forth of the hands and palms.

When one enters the synagogue man enters a holy place where unity with his Creator is found. Thus it is fitting to remove all footwear which may have trodden in polluted or defiled places.

This practice is also carried out by other congregations of Israel, such as Jews from the Yemen, Iraq and India.

Most of the prayers are a dialogue between the cantor and the congregation, and consists in the main, of verses from the Bible and of liturgical hymns, songs and blessings (Karaite Siddur,1989).

Salo Baron points out that Anan ben David emphasised the close emulation of the Temple ritual in the synagogue (1958: vol vii: 273). He placed stress on the reading of the Pentateuch and Psalms, and did not require many additional prayers but merely substituted some benedictions from those of the Rabbanites.

This gave him adequate ritual for his synagogue, while adhering to the traditional Rabbinic language and spirit, using Talmudic idiom and terms. Later on, however, under the leadership of Daniel al-Qumisi this Temple simulation was rejected and a standard Karaite prayerbook was formalised.

6.3 The Festival of Weeks (Shavout)

According to Karaite practice this festival can only occur on a Sunday based on the following reckonings:

Regarding the counting of the Omer it is written in the Torah. After the Sabbath is always the first day of the week, i.e. Sunday. The text says '*the Shabbat*', with the definite article, which indicates a known thing. The Sabbath is known to all of us, as it is written: *Remember the Sabbath day to keep it holy* (Ex 20:8).

If the intention of the text was to a day other than the Sabbath, it would have been mentioned. Thus the counting of the Omer always starts on the first day of the week, the Sunday, for that is *the day on the morrow of the Sabbath*, as it is written and already mentioned above: *And ye shall count unto you from the morrow after the day of rest* (Lev 23:15).

The Torah did not appoint a fixed date for the Festival of Weeks, but commands us on the counting of the Omer. Thus the counting of the Omer also ends on the first day of the week, after the seventh Sabbath, as it is written in the Torah: *Even unto the morrow after the seventh week* (in Hebrew seven Shabatot שבתות) *shall ye number fifty days*, (Lev 23:16). Here too the Torah indicates the word 'Shabbat' with the definite article, and furthermore it is written:

Seven weeks (שבוע שבתות) *shall there be complete* (Lev 23:15).

6.4 Hanukah

Because the festival of Hanukah is not mentioned in the Bible, it is not celebrated at all by the Karaite Jews, for the following reasons:

The festival is not mentioned in the Bible, but is part of the Apocrypha, as recorded in the Books of Maccabi, and

Because the first and second Temples were, and still are destroyed, it is our duty to mourn and fast for their rebuilding and rededication.

How can we rejoice, how can we say 'Blessed.....who sanctified us with His commandments and commanded us to kindle the lights of Hanukah'. This commandment does not appear in the Bible!

6.5 Tephillin and Tzitzit (Phylacteries and Fringes).

The Karaite tradition includes Fringes, but excludes Phylacteries. Concerning Tephillin the Rabbinic interpretation is a literal and a physical act of binding, as based on the verse: *And thou shalt bind them for a sign upon thy hand , and it shall be for frontlets between thy eyes,* (Deut. 6:8). The word 'binding' as understood in Karaite tradition, is metaphoric and the interpretation figurative, i.e. ' Teaching and repeating the laws of the Torah by good deeds of the hand and pure intentions of the heart, combined with nobility of thought. In the Karaite interpretation the following cases are quoted, illustrating other instances of metaphoric and rhetorical rendition:

His soul is bound up with the lad's soul (Gen. 44:30).

And these words which I command thee this day, shall be upon the heart.....

(Deut. 6:6).

Circumcise the foreskin of thy heart, and be no more stiffnecked

(Deut.10:16).

Bind them upon thy fingers, write them upon the table of thy heart

(Prov. 7:3).

This is a requirement which is taught by analogy as the priest dons the head-dress at the time of sacrifice. Even though sacrifices have been discontinued, alternate prayers oblige the worshippers to cover their heads when blessing or reading Holy Books and when performing religious ceremonies: *And thou shalt make for them girdles and head tires shalt thou make for them, for splendour and for beauty* (Ex. 28:40).

6.7 Meat and Milk

The verse: *Thou shalt not seethe the kid in its mother's milk*, appears in the Torah three times without any variance, (cf. Ex. 23:19, 34: 26; Deut.14: 21.) Karaite tradition interprets this as it is written i.e. that it is forbidden to boil and to eat a kid, a lamb or a calf in its mother's milk. Thus this prohibition does not include all meat in milk. The principle here is the moral aspect, the moral concern for the mother not to see her offspring being slaughtered before her very eyes, and being prepared in her own milk. Rabbinic Midrash, Mechilta Kaspas 5 states: *Why is this commandment stated three times in the Torah?*

This is to correspond to the three covenants that the Holy One, blessed be He made with Israel; one at Sinai, one on the plains of Moab and one at the mountains of Gerizim and Ebal.

Some Rabbinic halakhic rules state that although the law refers to goats, it initially applied to any four legged animal fit for eating, and later to fowl as well. The law speaks of 'its own mother's milk' yet it was applied to milk from all sources. The law speaks only of seething or boiling, yet the law was applied to all mixing of meat and milk and there were later stipulations as to the length of time between eating meat and milk. Special and elaborate rules were ordained to keep meat and milk utensils apart.

This was developed to the smallest detail, including kitchen sinks and dish cloths.

Karaite halakha does not include these laws.

6.8 Laws of Slaughter and Kosher Meats.

Karaite tradition includes:

- 6.8.1 slaughter of animals which are permitted by the Torah.**
- 6.8.2 forbidding the slaughter of animals which are ill, dying, disfigured or injured**
- 6.8.3 forbidding the slaughter of animals which are not yet seven days old**
- 6.8.4 forbidding the slaughter of animals and their off-spring on the same day, as it is written: '*Ye shall not kill a cow or an ewe and its young in one day*'. (Lev. 22:28).**

This excludes the slaughter of a pregnant animal.
- 6.8.5 forbidding eating the flesh of animals killed by wild beasts and therefore the eating of carrion.**
- 6.8.6 scrutinising the slaughterer's knife and insistence on the severing of the windpipe, the gullet and the two veins with great speed. This is in order to extract the maximum amount of blood in the shortest time to alleviate excessive pain.**
- 6.8.7 forbidding the eating of fat including the tail fat: '*Ye shalt eat neither fat nor blood*'. (Lev. 3:17).**
- 6.8.8 forbidding eating the thigh sinew, as it is written:**

***Therefore the children of Israel eat not the sinew of the thigh vein which is upon the hollow of the thigh unto this day*. (Gen. 32:33).**

- 6.8.9 ensuring the draining of all the blood from the meat. Initially all the blood vessels are removed, then the meat is well washed and put in salt for about three quarters of an hour. It is then rinsed twice or more until no trace of blood is seen.
- During cooking the fat is skimmed off.

Rabbinic tradition includes the following:

- 6.8.10 the thigh sinew is not eaten because: *'That is why the children of Israel to this day do not eat the thigh muscle that is on the socket of the hip, since Jacob's hip socket was wrenched at the thigh muscle'* (Gen. 32:33).

- 6.8.11 prohibition of fat and blood: *'It is a law for all time throughout the ages, in all your settlements, you must not eat any fat or blood'* (Lev. 3:17).

This categorical language cannot be taken absolutely literally.

One cannot eat meat without getting some of the fat that is mixed in with the muscle.

Tradition sensibly understood חלב in the technical sense of prohibited fat. This is according to Rabbi Akiva, (Babylonian Talmud, Hullin 49b). Permitted fat is called שומן.

Present day orthodoxy requires the butcher to remove all the fat from the meat that is offered for sale.

The fat of game and fowl is not forbidden. The prohibition of blood is taken from the above verse, and in Leviticus 7:27 adds that violation of this rule is to be punished by כרת (punishment of excommunication) *'Anyone who eats blood shall be cut off from his kin'*. Thus this was a most serious offence. The blood was the life principle, the נפש and this was not to be consumed by man.

6.8.12 There was much debate between the Karaites and the Rabbanites as to the laws governing שחיטה i.e. ritual slaughter. Here, it is therefore suitable to enumerate the differences and the similarities between the two interpretations: Both agree that the underlying principle is to kill the animal in the swiftest and most painless way possible by cutting horizontally across the throat. This achieved the draining of most of the blood "*only flesh with the life thereof, which is the blood thereof, shall ye not eat*", (Gen 9:4). Prior to Noachian times limbs were torn off living animals thus causing excessive pain and a frightful manner of death. Both agree that there are four sections of the animal's anatomy which are to be severed, viz: the trachea (windpipe), the esophagus, the jugular vein and the carotid artery.

6.8.13 The Shohet.

Rabbanite requirements

Any adult versed in the *halakhah*

Women have been permitted

Needs certificate of proficiency

issued by a Rabbi

Certificate not issued to catagories

such as mentally or physically

handicapped, inclined to drunkenness

or "whose hand is unsteady".

Knife is called חלף

Karaite amendments

also one who actively performs the *Mitzvot*, and prays in the morning and evening.

no recorded cases.

same

same

knife is called מאכלת

In both practices the act of slaughter is not permitted on the Sabbath, but is valid if so performed according to Rabbanite thinking, not so by Karaite custom.

The act of *shehita* is preceded by a benediction. In Karaite practice there are different benedictions for game, for domesticated animals and for birds.

Movements of disqualification.

Both practices have five movements in common, any one of which can disqualify the act of slaughter and deem the meat *tref* i.e. not kosher.

These are:

<i>Shehiya</i>	if the slightest pause or interruption occurs during the act.
<i>Derasah</i>	if the knife is pressed into the neck instead of moving firmly back and forth.
<i>Haladah</i>	if the knife gets stuck behind the food pipe.
<i>Hagramah</i>	if the cut is not made in the prescribed section.
<i>Ikkur</i>	if the tissues are torn rather than cut.

Furthermore the Karaite Jews have the following five additional disqualifying features:

Hasharah	where one or more of the four prescribed sections remains unsevered
Havlayah	this is when the severing falls too high and severs the gullet, thus causing excessive pain to the animal or bird.
Hamshahah	this is the act of slaughter beyond the limits, i.e. too high or too low on the neck.
Hatazah	this is when the head is severed from the body or the spinal cord is penetrated.
Nittuk	this is when one or more of the sections becomes severed by itself, i.e. not by the action of the knife.

Sources:

Encyclopaedia Judaica, 1971: vol.10:1337, and Ma'ayan Hayim,1982:117.

6.9 Circumcision

Karaite tradition follows the Biblical verse, and, if the child is healthy the circumcision is carried out on the eighth day: *'And on the eighth day the flesh of his foreskin shall be circumcised'* (Lev.12:3). This is performed even if the eighth day falls of a

Sabbath. This was not permitted according to Anan, but later Benjamin Nahawendi a jurist and more moderate thinker than Anan, allowed circumcision on the Sabbath. Anan insisted that this be performed with a pair of scissors rather than with a scalpel, and that converts or slaves should be circumcised only by those of similar rank. This too was contested and negated by Nahawendi.

Rabbinic halakha is based on the Genesis 17 reference. Prior to this God had made no demands on Abraham in return for His promise. It had been a one-sided deal. Now, he and his descendants will bear the mark of the covenant in their flesh. Abraham had now become a committed partner to that covenant. Here again the penalty for non-observance is כרת (excommunication), severing of family ties and exclusion.

This practice has been one of the most significant in the history of the Jewish people. Neglecting it does not mean the mere non-observance of a rite, but a rejection of God's sign and covenant.

6.10 The Sanctity of the Sabbath

The Sabbath is one of the most important and visible of Jewish observances.

Regarding this the present day Karaite practice is as follows:

The Torah forbids work to be done on the Sabbath by us or with our consent, as it is written:

'Thou shalt not do any manner of work, thou, nor thy son, nor thy daughter, nor thy man-servant, nor thy maid-servant, nor thy cattle, nor thy stranger that is within thy gates' (Ex.20:10).

Our sages permitted eating hot food which was placed in a suitable container to keep it hot, but forbade active heating of the food, or keeping it hot by means of a flame.

We have adapted foods to be eaten without heating and this has not affected the flavour, but adds to the taste and the joy of their eating. In contrast, the Rabbis

permitted the preparation of fire on the Sabbath eve. Also the Rabbis permitted transferring possessions from house to house even via public domain, by introducing the *Erub*. This refers to the Rabbinic law which facilitate the accomplishment of otherwise forbidden acts on the Sabbath, (Danby, 1933:127).

Our Rabbinic brethren interpret 'Delight of the Sabbath' as the approval of physical pleasures and that it is a *Mitzvah* to conduct marital relations on the Sabbath.

We forbid this, based on the following:

6.10.1 This matter is regarded as work on the Sabbath, as is ploughing and sowing, as it is written: *'Six days shalt thou work, but on the seventh day thou shalt rest, in ploughing time and in harvest, thou shalt rest'* (Ex. 34:21).

6.10.2 Sanctity of the Sabbath obliges man to be pure, as it is written: *'The woman also with whom a man shall lie carnally, they shall both bathe themselves in water and be clean until the evening'* (Lev.15:18).

Thus at the revelation on Mount Sinai the Children of Israel were requested not to come near to their wives in order that they may be pure, and the Sabbath is appointed to serve the Creator, for prayer and for spiritual delights, as it is written:

Then thou shalt delight thyself in the Lord. (Is. 58:14).

A more rigorous attitude to the Sabbath was pronounced by Anan ben David. He declared it unlawful to administer any medicines, even in the case of extreme illness, or to perform circumcision. On the Sabbath it was forbidden for Jews to leave their houses if they lived together with non-Jews in the same area. No warm food was to be eaten, as keeping a flame alive was considered work.

Anan introduced the custom of spending the Sabbath eve in darkness. Later the more moderate Benjamin ben Moses Nahawendi, while still prohibiting lights on the Sabbath, granted greater freedom of movement within the city precincts and permitted sexual intercourse (Baron 1957:5:245).

The Fundamental distinction between the Rabbanite and Karaite Sabbath is mentioned only briefly by the Karaite authorities. The Talmud proclaims the Sabbath as first and foremost a day of gladness and rejoicing, both spiritual and material. Thus the Rabbis not only insisted on well illuminated homes and synagogues, but they introduced the blessing over a cup of wine, the קידוש (sanctification). This ceremony became so important that although initially designed as a home practice it was also performed during the Friday evening service in the synagogue, originally for the benefit of travellers and the homeless. This evoked the wrath of Karaite purists, such as Solomon ben Yeruham who even took Sa'adiah to task on this matter.

6.11 Marriage

Present day Karaitic marriage is validated by the three following conditions:

dowry

contract

marital relations

This is again not in keeping with Rabbinic custom which determined that carrying out only one of these three is sufficient.

Wedding Liturgy.

We have many fine examples of beautiful liturgy for the Karaite wedding. The following are but a few of them, (Nemoy 1952:270):

6.11.1

As the groom proceeds to the synagogue his friends chant the following hymn, 'From His Abode', written by a Rabbanite scholar, Mordehai Comtino, who lived in Constantinople in the 15th cent CE, and was highly esteemed by the Karaites:

*From His abode in heaven a light is shining
Upon thee, O my bridegroom,
And rejoicing is growing for thee.
Mayest thou always have gladness!
Restitution for Zion, and a year of recompense,
The day of final judgement, may they be revealed
to thee in thy lifetime, together with the Son of Peace,
The Messiah, to restore the spirit of Israel.*

6.11.2 The above is followed with a collection of Psalms, including Psalms 67, 91, 121, and 122. The ceremony continues with Hos. 2:21-22:

*And I will betroth thee unto me forever,
And I will betroth thee unto me in righteous and in justice,
and in compassion,
And I will betroth thee unto me in faithfulness,
And thou shalt know the Lord.*

6.11.3 Those present repeat aloud the following hymn, written by an unknown Karaite physician named Judah Elijah ben Tishbi:

*The ornament of my bridegroom,
And the people of my trust,
Come let us walk
In the light of the Lord.*

6.11.4 The bridegroom is then seated, the bride is brought in, and one of the attending men recites the following from the Book of Proverbs:

Whoso finds a wife, finds a great good,

And obtains favour from the Lord. (Prov.18:22)

A valiant woman, who can find?

For her price is above rubies (Prov 31:10)

6.11.5. The bride and the groom then stand before the Holy Ark. One of the attendant men then reads the following marriage contract, which at the Karaite wedding is read in Hebrew, unlike the Rabbanite rendition which is in Aramaic:

6.11.5.1 On this the _____ day of the week, being the _____ day of the month _____, in the year _____ since the creation of the world, according to the reckoning which we employ in the congregation of Karaites in the district of _____ in the domain of Lord _____, may he live forever. On that day there came _____ the son of _____, before the elders of the congregation of the Karaites and he said to them:

6.11.5.2 'Be ye witnesses for me, and accept from me in legal terms, and write down and sign that which I am about to say before you. I am not labouring under compulsion or error or misunderstanding or force, rather with a perfect heart, full knowledge, will and intention, I admit before you and make you witnesses for me, to the effect that I have betrothed and sanctified unto myself the lady _____, the virgin maiden, to be my wife in purity and holiness, by way of bridal gift, marriage writ and marital intercourse, according

to the law of Moses, the man of God, and according to the statutes of Israel, the pure and holy ones'.

6.11.5.3 'I will clothe and cover, hold dear and support and feed her. I will work for her to supply all her proper needs and desires, according to my strength and to the extent I can afford. I will not oppress nor despise her, nor will I betray her, and will not diminish her food, clothing and marital intercourse, as prescribed in the Law. And I will conduct myself toward her with truth, pity and mercy, and I will treat her in the manner of the sons of Israel, who feed, honour, hold dear and clothe their virtuous wives , and do all that is proper for them in faithfulness and uprightness.

6.11.5.4 'And the bridal gift which I stipulated, set and imposed upon myself, the bridal gift for her virginity, as prescribed in the Law, I shall give her.'

6.11.5.5 ' And this lady_____, the Bride, heard the words of _____, the Groom, and she agreed, with perfect heart to be his wife, companion and woman of this covenant, to obey his voice and to hold him dear, to honour him and to do in his house all that the daughters of Israel do in the houses of their husbands, and to be under his rule, her desire being directed only toward him.

6.11.5.6 Both of them also willingly took upon themselves, by the free choice of their hearts, and by the covenant of Mount Sinai and the laws of Mount Horeb, to keep the holydays of the Lord, as sanctified by the observation of the moon and the finding of the fresh ears of barley in the Holy Land of Israel, if they can find them.

6.11.5.7 And a covenant was made between _____, the Groom and _____, the Bride, embodying all that is written and explained above.

6.11.5.8 And the legal force of this deed of agreement is to be like that of all deeds in Israel, which are clear, fortified, customary and proven from this day into eternity.

6.11.5.9 And that which took place before us and which we have heard and seen, we have here written and signed, and we have given this deed into the hands of this Bride, to serve in her hand as proof and title in any court in Israel, so that it may emerge true, upright, established, strong, clear and lasting. And may they build a household and prosper. Amen!

This contract having been pronounced is then signed by the qualified witnesses. The Groom then hands it to the Bride, together with some object of value, such as a ring. If she is a virgin the officiate announces in a soft voice from Hosea 2: 21-22. If she is a widow he recites from Isaiah 54:4, and if she is a divorcee Isaiah 62:4 is read.

With a cup of wine held by the one who is officiating, there follow Seven Benedictions, the **שבע ברכות**. Upon the conclusion of these blessings the Groom and then the Bride drink of the cup. This is followed by the sprinkling of ashes on their heads which is an age old symbol of mourning, no glass is broken as is the Rabbanite custom. Readings from Psalms and Lamentations follow. This is to remember Jerusalem even at this time of rejoicing.

After blessing the newly-wed couple and the gathered congregation, the assembly retires to a prepared meal where eight cups of wine are blessed:

Praised be to His great name!

Praise be to the name of our God!

Praise be to Him who spoke and the world came into being!

For the greatness of the Law of our God!

For the revelation of our master Elijah!

For the coming of our King, the Messiah!

For the rebuilding of Zion and Jerusalem!

For the rebuilding of the Temple!

6.12 Incestuous Marriages

The present day Karaite approach on this matter is as follows:

One of the most rigid prohibitions in the Torah is that against incestuous marriage; that is the forbidding of sexual relations between certain family members, as set down in the book of Leviticus, (Lev.18:1-20), and by analogy that which stems therefrom. It is written that marriage with the father's sister, or the mother's sister is forbidden. Thus by analogy it is clear that a girl is not able to marry her father's brother or her mother's brother, i.e. her paternal or maternal uncle.

The question of permitted marriages goes back to the very early days of Karaite and Ananite thinking. Anan himself forbade the union between any close relatives of a husband with any of his wife's close relatives. Rabbanite Jewish teaching permits the marriage of two brothers to two sisters. There is no evidence, however, that this rigidity was enforced, and had Anan given thought to the long term implications of his expanded doctrine of permitted marriages, he would have realised that before long his adherents living in smaller communities would find it difficult to find mates with whom they were permitted to marry.

Eventually, the Karaite leaders themselves objected to this multiplication of marital prohibitions, ריכוב על ריכוב. Joseph al-Basir ha-Roeh and

David ben Boaz, both of the tenth century CE, objected to this type of staggered relationship and reduced the degrees of prohibition. Jesua ben Jehudah in the eleventh century, proclaimed the general principle; *One must not apply the rules of analogy- אין הקש בעירות -to marital impediments* (Baron 1957:5:244).

Based on the Book of Leviticus the following are the Prohibited Degrees of Relationship for Marriage, based on *The Jewish Law of Marriage and Divorce*, by M.Mielziner (Plaut 1981:976).

BIBLICAL PROHIBITIONS

TALMUDICAL EXTENSIONS

A. CONSANGUINITY

a. In the Ascending Line

- | | | |
|----|--------|------------------------------------|
| 1. | Mother | Grandmother, parental and maternal |
|----|--------|------------------------------------|

b. In the Descending Line

- | | | |
|----|---|------------------------------------|
| 2. | Daughter | |
| 3. | Grand-daughter (son's or daughter's daughter) | Son's or daughter's grand-daughter |

c. Collateral Consanguinity

- | | | |
|----|-----------------------|-----------------------|
| 4. | Sister or half-sister | |
| 5. | Father's sister | Grand-father's sister |
| 6. | Mother's sister | Grand-mother's sister |

B. AFFINITY

a. Through one's own marriage

- | | | |
|----|-----------------------|---|
| 7. | Wife's mother | Wife's grandmother
Wife's stepmother |
| 8. | Wife's daughter | |
| 9. | Wife's grand-daughter | |

- 10. Wife's sister (during the lifetime
of the divorced wife)**

b. Through marriage of near blood relation

- | | |
|---|--|
| 11. Father's wife (stepmother) | Father's or mother's stepmother |
| 12. Father's brother's wife | Mother's brother's wife |
| 13. Son's wife | Grandson's wife |
| 14. Brother's wife (except Levirate) | |

CHAPTER SEVEN

CONCLUSIONS

Throughout this work I have endeavored to promote awareness and understanding of the multi-faceted history of the Karaite Jews. From my first encounter with this community in the early 1960's, I realised that whilst it had much in common with mainstream Judaism, it was also at variance in many ways, often fascinating, important, or both.

As I have said, the number of extant works pertaining to the Karaite Jews is not great, and researchers are consequently heavily reliant on the plethora of their literature to follow the course of their history.

Thus, although this work is not a literary survey, much of the historic understanding of this people derives, of necessity, from such sources.

Over the span of Jewish history there have been many occasions where groups have formed to introduce change to the establishment of traditional belief and practice. These were of lesser or greater significance, some leaving their mark on the path of history. From early times there has been opposition to the religious office as seen in the Priestly-Prophetic and the Pharisees-Sadducees conflicts. Even within the mainstream of Jewish thought there has been room for opposition as seen in the division of the Schools of Hillel and of Shammai. In more recent years we have seen the ongoing battle between Hasidism and the Mitnagdim. In the past one and a half centuries the advent of liberal enlightenment has given rise to the Reform and Conservative movements.

Yet the Karaite Jews have, at times more or less, been 'in opposition' to the Rabbanite institutions for over twelve centuries. They have come through trying times and have weathered the opposing stand of the religious establishment which claimed entrenchment in history by the seal of divine ordination. Their contribution to Jewish thought and learning has been considerable.

In the first two chapters of this work I allude to several unanswered questions. Firstly, whether or not this movement was preceded by other religious sects who influenced the nature of the opposition to the Rabbis. Then, was the aim of Anan to establish a new religion or even a new sect within Judaism, or was this a political endeavor to obtain what he believed to be his rightful political position in the Exile? Was the

rejection of the divine origins of the Babylonian Talmud a sincere and honest attempt to correct the situation of power which the exilic leaders had forged for themselves?

It is seen that shortly after Anan there was a large amount of rejection of his ideas by those who followed him, such as Daniel al-Qumisi. From such internal dissension, in the very early stages of Karaite history, a forum for alternate ideas and concepts emerged. This lack of autocracy from any one body was perhaps one of the reasons for the ongoing success of the movement. There was an absence of dogma (other than that of the Bible in its most literal sense) which proved attractive to those who rejected the overwhelming, self-claimed, divine seal of the Rabbanite leaders.

Chapter three illustrates the perambulations of the Karaite Jews throughout the near eastern world. Reasons for this population movement are manifold, but in the main the causes were political, economic or religious.

As the Karaite Jews moved westwards, they absorbed the style of their host country, be it language, dress or custom, while never abandoning the precepts of their faith. They achieved a 'blending in' with their non-Jewish surroundings, which at times added to the friction between them and their Rabbanite brethren.

In the lands under the influence of the Russias, the Karaite Jews took an interesting turn. For various reasons they chose to disassociate themselves from mainstream Judaism and were thus declared a separate religion. This action saved many of them from the army of the Czar and later from the Holocaust. Was it this that saved the Karaites from the fate which befell the Krimchaks?

In some areas this attitude of Jewish denial still persists today, as recently reported in the 'Jerusalem Report' of July, 1992.

'Outsiders regard the Karaites as a Jewish sect. Karaites in the Crimea reject that label. They were given the status of 'Russian Karaites of the Old Testament Faith', by Catherine the Great'.

Yet in many places and periods the two Jewish groups co-existed in varying degrees of harmony, exemplified by the situation in Egypt in the 19th and first half of this century as well described in the book of Mourad el-Kodsi. He details this great age in the long history of the Karaite Jews which promised a flourishing literary and cultural revival. However, with the rise of nationalism in the 1950's, both of Zionism and of Nasserism, this was cut short.

At the end of chapter four and the start of chapter five this era of Egyptian Karaite Jews was resurrected when they settled in Israel.

Here they faced the difficulties of a new country under siege with harsh climatic and economic conditions. Although they shared these problems with all the other groups of settlers coming from the Arab lands, they encountered the additional hardship of non-acceptance by the religious establishment. Notwithstanding these obstacles, they settled the Land in some of its most difficult and severe areas.

As the wave of immigration from Egypt continued into the sixties, the Karaite Jews of Egypt were, other than a small group of Karaite Jews from the Iraqi island of Hitt, to become the Karaite Jews of Israel and established in the town of Ramleh, the first body to represent the Union of World Karaite Jews. This union aimed to unify policy, improve education and youth activities, and to assist with the progress to full recognition within the spectrum of Israeli religious life. In the 1980's, with the opening up of the Soviet Union lands, a further function of this World Union was to establish and strengthen ties with the remnants of the Karaite Jews in Lithuania, Russia and the Crimean Peninsula.

Looking to the future of the Karaite Jews, their situation seems clear yet very varied. The Karaite Jews of Eastern Europe are a rapidly diminishing group. This is expressed by the representative statistics of el-Kodsi (1993:25) when he questions the optimism of the Karaite Jews he met on his trip to the areas of Poland, Russia, Lithuania and the Crimea: 'There are only 280 Karaites in Lithuania, the death rate is higher than the birth rate and the Karaites are all inter-related'. Miller (1993:57) writes that 'there are less than 3000 Karaites in Russia who are virtually deracinated from their unique heritage'.

Without assistance from the World Union, the future of these Karaites seems bleak. Furthermore, el-Kodsi comments (1987:298) on the situation of the Karaite Jews in the USA: 'It is my judgment that 80 percent of the Karaites who came to the United States have already been assimilated into the Jewish mainstream'. Today there exists only one active congregation, that in San Francisco led by Rabbi Joe Pessah. In addition, in the calendar for 1995-6, issued by the World Union in Ramleh, there are small communities, possibly only a few dozen each, in Lausanne, Switzerland, Paris and Marseilles in France, and Istanbul in Turkey.

Therefore, the continuity of the Karaite Jews rests heavily on the vast majority of their group who now live in Israel. In their information booklet issued by the World Centre in Ramleh, the following is said, (undated:18): *' There are still many in Israel who find difficulty in understanding that a united Israel does not necessarily mean a unity of opinion and uniform religious practice. For, with the furthering of the Karaite philosophy, literature and interpretation of religious works into the society of Israel, will achieve mutual understanding between Karaite and Rabbanite Jews. This will increase mutual understanding and will see growth on reciprocal influence between the two Edoth. Then the day will come closer, as in the prayer of Rabbi Sahal ben Matzliah haKohen, who lived in Jerusalem over a thousand years ago: May God comfort Zion in our days, and fulfill upon us and upon all the household of Israel, as it is written:*

' Yet again shall they use this speech in the land of Judah and the cities thereof. When I shall turn their captivity: The Lord bless thee, O habitation of righteousness, O mountain of holiness.' Jer 31: 22.

The optimism of the World Centre is not unfounded. They continue to establish synagogues and community centres. There are numerous programmes for their youth and adults, there are many publications and reprints of religious works, as well as a most informative monthly journal.

Yet the Karaite Jews in Israel face some major problems:

1. As exemplary citizens of the State of Israel, the young Karaite men are drafted into the Israeli army where they are exposed to the Rabbanite environment of laws of Kashrut, Shabbat and the Holydays (at times with different calendation).
2. There, and elsewhere, they meet and marry Rabbanite girls and their offspring are raised on matriarchal lines.
3. Notwithstanding the above mentioned youth programmes, the Karaite pupils attend public schools and in areas where most of their peers are of orthodox Rabbanite families.

It seems that Karaite children are looking for an identity. They are torn between the practices of their country where they were born, and their thousand year old faith. The religious leadership is still of the old country, i.e. Egypt which poses a further problem of identity for the Karaite youth of today.

The Karaite Jews of Israel will continue, but their progress will be hampered unless the previous mentioned points are considered. In addition, they need a modern secular leadership as well as the learned Rabbis. There is also the concern that, as in the past, and especially with the new balance of power in the Knesset, the status quo within the religious life of the state of Israel will be disrupted unless there is a strong leadership and representation within the law making circles of Israel.

APPENDIX ONE.

Official Records of Proceedings of the Knesset on Matters Pertaining to the Karaite Jews during the period 1948 to 1995.

2.6.1953 1458:14 Law on Marriage and Divorce. In the
discussion after the Bill had been presented by Minister Warhaftig, the Mapai member, David bar Rav Hai, answers the Po'el Mizrahi member, Eliyahu Moshe Genhovski, saying, concerning intermarriage: "Referring to para 1, why is it necessary to decree that marriage of Jews in Israel must be conducted according to the Law of the Torah; is this not the existing situation in Israel? For whom is this declaration needed? What does it add? Excepting for the fact that here are a few legal questions, such as, what is the interpretation of the concept 'Jews'. Do both partners have to be Jewish, and what about the Karaites? Do we have some motive to push them aside?

9.6.1953 1549:14 Budget debate for 1953-54.
Dr. Z. Warhaftig included in his speech (p 1549) "We are dealing with the problems of the Druze community which numbers some 16 000 persons. There the emphasis is, in the main, of an administrative nature. They are not in need of financial assistance from the Department of Religious Affairs. We are also dealing with the Karaite community, which numbers some 1200 persons and the Samaritan community which comprises only 90 persons. The help given to them is both organisational and financial. We are also dealing with the Bahai sect in organisational matters, their numbers being some 200 believers only, as the majority of their followers, some two million, are to be found in the United States, Canada and Persia."

11.5.1955

1598:18

Motions for the Agenda:—Civil Marriages.

Member Hanan Rubin of Mapam in supporting the case for Civil Marriages :"In recent times there occurred cases which renewed the interest of many sections of the public concerning this matter, the case of the artist Barak, and the case of Mr. Mourad, of the Karaite community. The latter wanting to marry a young woman who was described as a daughter 'of the Jewish Rabbanite community', and this was not permitted. It is not my intention to enter into details of these two cases. I will just say that the second is a case of special significance: a Jewish person immigrates from Egypt and wants to marry a Jewish girl. He was even willing to 'enrabbanite', that is to become a Rabbanite Jew."

Using these two cases Rubin continues to argue in favour of the introduction of civil marriages, as an alternate to, not as a replacement of religious marriages.

28.6.1955

2096:18

(Question time of the Prime Minister)

Question Six. The Civil and Religious Status of Members of the Karaite Community. Member of Knesset, H. Rubin asked the Prime Minister, Moshe Sharet on 26th April, 1955:

- 1. Are the members of the Karaite community of Egypt permitted entry to Israel by means of the Law of Return?**
- 2. Are the members of the above community who are in Israel considered to be Jews?**
- 3. Is it known to the honourable gentleman, that Mr. Yosef Mourad, of the Karaite community of Egypt, is not permitted, by the Rabbinate in Tel Aviv, to marry the one of his choice, by reason that the Rabbinate cannot allow his marrying a "Rabbanite Jewess"?**

4. Is the honourable Prime Minister prepared to see that there will be no obstacles in the way of Mr. Mourad getting married, and that there is no basis for the position of the Rabbinate vis a vis the laws of the State of Israel?

Prime Minister M.Sharet answers:

- 1 Yes.**
- 2 According to the Laws of the State, yes.**
- 3 This matter is not known to me, but I will find out.**
- 4 I am prepared to investigate, but I doubt if I have the authority to promise this.**

Hanan Rubin (Mapam):

What is the reason, that on the 26th April, 1955– the date of this question, the Prime Minister, certainly due to his many activities, was unable to clarify the third question. Is the Prime Minister finally able to state that there will be no discrimination as regards the Karaites as citizens, as Jews and as having equal rights?

The Prime Minister, M.Sharet:

From the Government's point we will do everything to prevent any discrimination.

27.6.1960 1670:29 Budget debate for the year 1960/61.

Proposal by the Ministry of Religious Affairs, as presented by Minister Toledano.

Knesset Speaker Kadish Luz.

(ed.: After a lengthy report of the situation of all the Christian, Muslim, Druze and Bahai institutions, the position of the Karaites and Samaritans was discussed).

The Karaite Jewish Community (ed.: note the nomenclature): The Karaite Jews whose numbers reach some 7000 souls, are scattered in all the cities of Israel, being mainly concentrated in the south, especially in the Ramleh area. Religious matters are managed by nine cantors and one Rabbi. At the head of the community there is an organising council which concerns itself with religious matters.

24.5.1961 1833:31

Designation of the Karaites in the Population Census as a non-Jewish Community. (Motion for the Agenda)

Chairman: A. ben Eliezer. The chair recognises Knesset member Talmi (Mapam) to introduce the motion for the agenda: Designation of the Karaites in the Population Census as a non-Jewish community.

Emma Talmi (Mapam) Mr. Chairman, Honourable Knesset. In the population census as has already been mentioned, a special column was included especially for the Karaites, to exclude them as Jews. This was not done as a community census, which was also a possibility. The question arises: What community are the Karaites?

—Ashkenazi, Sefaradi, Yemenite, Polish, Bocharan, American or whatever?

Are the Karaites to be numbered in a similar way to one of these. But this did not happen . They were counted as "another people" i.e. not Jewish. In this context there is concealed a grave insult, firstly an insult to the Law of Return, because by this law they came to Israel as Jews, and insult has been cast upon the Karaites by their being designated a special column. They consider themselves as Jews; an inseparable section of the Jewish people.

This same slip of the pen, if it was indeed in error, is also a very poor show for the concept of national unity, on which so much emphasis is laid.

On the voting paper it is detailed as follows: State whether you are Jewish, Muslim, Christian, Druze. When you read the word "Jew", you ask yourself: What is the intention— to religion or nation? And because at the head of the column there is no heading which explains the intention, you find that which is common to these: Jew, Muslim, Druze, Christian— the common concept to all of these is: Religion. There is a religion of Judaism, a religion of Islam, a religion of Christianity— but there is no column for.....(interjection) correct, and about this I am complaining.

Because we want to comply with the Mitzvah of "being a Jew", every one according to his conscience, we look for the column in which we can write that we are Jews. There is no place here for tens of thousands of Israeli Jews who are not religious.

They are left without a column, and there is no place at all for them to express their national belonging . This is a serious fault.

I read in yesterday's press that there is real civil unrest in various places. And some circles state that the concept "Jew" applies both to nationality and to religion.

Minister of the Interior H.M Shapira.

Is this a census world outlook, or a demographic census?

Emma Talmi (Mapam): This is a census which was meant to answer the question if one feels himself a Jew by nationality, but this is not asked here.

I want to ask you Mr. Minister: Is there no Jewish nation? Is there no Jewish people? Who are we? Is there no insult in this terrible question, that I am compelled to ask from this platform?

I read in the press that many, as a sign of protest, have especially filled in the block "other", perhaps because there the Karaites are to be found, and the Karaites are Jews. I would not be surprised if they took this step in answering "in any case I have

no place in this census". Because of the injustice which has been perpetrated on Karaites, being excluded from the Jewish people, my family, my kibbutz and I are intervening Injustice has been done to the Karaites, they are insulted and in their hurt they turned to the State President.....

All that has been said does not alter the fact that the Karaites have been insulted and turned to the State President. The President turned to those responsible for the census, who in turn turned to the Ministry of Religious Affairs or the Ministry of the Rabbinate who informed them that it was in order for them to ignore these columns and call themselves "Jews". This is very nice and if so the question is to be asked: "Why did you insult all of us? For the insult remains. While the written difference remains, that special column, the insult remains.

the debate continued.....

Member of Knesset Talmi continued : The designation of the Karaites in the population census is, in my opinion, another retrogressive step, even when compared to the sorrowful previous situation. What was the position up to now? Of what were we aware until this matter created havoc in Israel. We knew that the Karaite Jews and the Rabbanite Jews prohibited intermarriage between themselves. And why was this? Because the Karaites believe only in the Scriptures. And based on this, their laws of divorce differ. And due to this they are considered bastards. But even bastards-- as acknowledged by all-- are Jews. They are Jews in all respects. If we enlarge the concept 'all', then theoretically a Karaite can even be a Rabbi. Only one thing he is forbidden to do: marry a daughter of the Rabbanite community. Apart from marriage, the Karaites are Jews in all aspects. This was the position up to now. And in parenthesis: Forbidding marriage is a crucial matter, and the problem will not disappear until a solution is found.

In conclusion I say: This census puts us in a retrogressive situation, here the Karaites are classified apart from the whole of the Jewish people. A census which causes unnecessary division or which divides the Jewish mainstream from other Jewish trends, this is a misleading census; a census which reveals little and conceals twice as much, this is an erroneous census. We demand a revision of the ballot paper.

The discussion continued into one of a more general nature as to what is considered as 'religion'.

Moshe Sneh of Maki, the Israeli Communist Party, objecting to the inclusion of printed categories on the ballot paper referring specifically to religion, such as Christian, Muslim and Jewish, continued:

Ask, what are your origins. Do not put any prescribed answers on the ballot paper, only questions. If you present the concept 'Jew' as an answer next to other religions, you will be encumbering many, myself included, because the significance of the concept 'Jew' is that it cannot be defined unilaterally, as this is a religious concept, a national concept and an ethnographic one, and not one of these three encompasses all the Jews.....

Instead of the (pre-printed) answer, the question must be presented and everyone will answer according to his conscience. Let us erase the (pre-printed) answers.

It is permitted to ask, in everyone's opinion, 'to what religion are you affiliated'.

Next to the question 'religion' on the ballot paper there will be a space for an answer.

Let everyone write what he wishes to write. There are those who will write the religion of his choice, and there will be those who will draw a line or will write 'none'. You should ask about religion and you should ask about nationality, and those to whom these concepts are equal will give an identical answer. And those who have different answers to the two questions, will give different answers. And there will be no

coercion, but there will be the opportunity to speak the truth and to have freedom of conscience.

15. 11. 1961

361:32

Marriage between Karaite Jews and Rabbanite Jews. (Question time)

Member of Knesset Emma Talmi asked the Prime Minister on 13.11.61.

Recently the Council of the Chief Rabbi, after a meticulous *halakhic* examination has recognised the 'Bnei Israel' as Jews and permitted them to marry amongst the other Jews. This *halakhic* pronouncement was announced, but this is not the case concerning the Karaites. Thus I wish to ask:

1. Are you aware of this *halakhic* decision and recommendation
2. Does this not stand in contradiction with your call to the Knesset of 18.1.1956, where it was decreed after a recommendation on the agenda which I proposed on that day that it is the duty of the Rabbis to find a suitable *halakhic* explanation which would satisfy the conscience of everyone and allow the Karaites to live in Israel as Jews in all matters.
3. If so— I will be grateful if you tell us what, in your opinion, is to be done in order to redress the tragic distortion concerning the Karaite Jews, who arrived in Israel by the right of the Law of Return as Jews, yet here they have been excluded from the mainstream of Israel and the decision of the Council of the Chief Rabbi endorsed this with clarity and precision.

The Prime Minister, D. ben Gurion:

Concerning question No 1: Additional explanation is not in place here, as this matter deals with the 'Bnei Israel'.

To question 2: In answer to the motion of MK Emma Talmi on 18.1.56 I said the following:

It is obvious that there will be no forcing of Rabbanite Jews to marry Karaites and vice versa. He who is familiar with Karaite literature knows that in many cases they are more strict than the Rabbanites. But it is a fact that there are many Karaites in this country, and it will not occur to anyone to question their being part of the Jewish people, and they are not disqualified from marrying another Jew.....

And it is fitting that this matter be solved by those who were appointed to deal with matters of *halakha*.

I recall that when a specific *halakhic* question arose, I met with Rabbi Herzog (of blessed memory), and he told me that he had sought after and found a legal solution.

I wish to express my hope that whenever there will be an actual case, the Rabbis will eventually find a legal solution.

I wish to indicate finally that the associates of MK Emma Talmi agreed to maintain the status quo concerning the matter of marriage and divorce.

To question 3: I do not know of any Israeli law which excludes the Karaites from living in Israel. And the government treats them as it treats all Jews.

Notice in the press of conversion from within the Karaite community in Haifa.

MK E Talmi asked the Minister of Religious Affairs on 31.1.1966.

We read in the press that 'a special court' was established for the above purpose in Haifa, and performed a conversion of a young Karaite Jewish man, and this conversion was confirmed by the Rabbinic Religious Court in that city.

Concerning this I would like to know:

- 1. Is this fact correct or correct in principle?**
- 2. If the answer is in the affirmative, under what circumstances must a Jew convert?**

The Minister of Religious Affairs, Z.Warhaftig:

- 1. In this case the local Rabbinate of Haifa was concerned**
- 2. This was not a conversion, but a return to the framework of the *halakha*.**

9.2.1966 582:44

The Authority of the Karaite Religious Court. (Question time)

MK E.Talmi asked the minister of Religious Affairs on 31.1.1966:

Some time ago the Ministry of Religious Affairs furnished the council of the Karaite Jewish community with forms to record marriages and divorces. Now it has been published in the press, that after the religious court of the community used one of these forms to record the marriage of the couple Marzuk, the Ministry of Religious Affairs has declared that this marriage form is void , and the form has no legal status.

Concerning this I would like to know:

1. Are these facts correct?
2. If so – for what purpose did the Ministry of Religious Affairs issue these forms to the Karaite Council?
3. Does the Ministry issue forms such as these to all who request them, or only to recognised religious courts?
4. Is the religious court of the Karaite Jews recognised?
5. Is this religious court authorised to pass judgment concerning marriage and divorce of the Karaite Jews?
6. If not– what is the official institution authorised to handle the personal status of this Jewish community.
7. Is it your intention to propose a bill which would recognise the community of Karaite Jews as an official community in order that they can live orderly lives.

The Minister of Religious Affairs, Z.Warhaftig:

1. The ministry issued to the Karaite Council registration forms for divorce more than five years ago, and to date they have registered 22 cases of divorce in the Karaite Jewish community.
2. About half a year ago one of the Karaite Jewish community, Mr. Maurice Marzuk, appealed against a divorce decree against him, and in light of a High Court decision the authority of the Karaite Religious Court is now in question.
(The other five points were not dealt with).

28.2.1966 736:44

The personal status of the members of the Karaite Community (Question Time)

MK D.Netzer asked the Minister of Justice on 3.2.1966:

In the "Davar" newspaper of 1.2.1966 an article was published under the heading:

"The Court of Law: It is not clear in what manner one marries according to the Karaite religion, and the validity of the Karaite marriage certificate". According to that which is described (in the article) the Karaite community has no recognised status according to the country's laws, and because personal matters of citizens are organised by means of community and religion, there is no legal arrangement for members of the above mentioned community.

I request the honourable minister to respond:

- a Is the situation indeed as described in the article?**
- b If so-- what does the minister propose to do to rectify this situation?**

The Minister of Justice, Y.S.Shapira:

The words of the newspaper which were quoted in the first part of this question time are not accurate. What the court said was: "it is not known to the court in what manner the wedding is performed according to the Karaite religion, and what is known from the words of the no 1 accused, who is a person well qualified in this matter, is that the couple are considered to be married".

The aforementioned accused No 1 is the community's rabbi.

These things said by the judge at a particular trial were based on certain evidence given in the court.

The court did not say that there was no validity to the Karaite marriage certificate.

Regarding the general question concerning the status of the Karaites and "the legal agreement of their personal matters", I have difficulty in answering this now, as the matter is *sub judice* in the Supreme Court, the case number being 362/65.

If the honourable member wishes to inquire afterwards , that is after the court has decided , I will of course reply.

I wish to add to this point two remarks: The position of the Karaite Jews in Israel is certainly complicated. The complication is not that the Department of Religious Affairs does not want to recognise the Karaite Jews as Jews, but the difficulty is that within the Karaite community there are two parties, or two sections, who are divided on this issue of principle: If they belong at all to the whole Jewish people or not. One section sees themselves as Jews in all things, while on the other hand, there is a faction who do not see themselves as an integral part of the Jewish people. In reality the matter before the Supreme Court, which I mentioned, stems from this division. I can only say to the honourable member that in the light of this complex situation, the Minister of Religious Affairs has decided to bring before the government a proposal to establish a public committee headed by a judge of the Supreme Court — and I am pleased to announce that Justice Dr. Moshe Silberg has agreed to take upon himself to lead this committee— in order to clarify this problem from all aspects and to bring suitable suggestions to the government.

Understandably, when there will be recommendations and the government will come to some conclusions, these will be made known to the Knesset.

8.5.66 849:45

Marriage of a Karaite with a Jew.

Member of Knesset E Talmi asked the Minister of Justice on 15 Feb, 1966:

In the press it was published that in the Haifa Regional Court an application was made by a member of the Karaite Jewish community to permit a marriage with a sixteen year old girl. During the trial it became known to the judge that the applicant was a

member of the Karaite community and he was refused permission, the reason being that the applicant was not Jewish and the entry in the Identity Document of the above applicant was not the truth.

Since, that at trials of this nature, there is usually a representative of the Attorney General and it was not mentioned in the press that the representative took a stand regarding the judges decision, — with respect I ask:

1. Are these facts correct or correct in principle?
2. Did a representative of the Attorney General participate at this hearing and what was the position he took?
3. If by the absence of a stand by the representative of the Attorney, is it understood that the official policy of the Ministry of Religious Affairs is that the Karaites are not considered as Jews?
4. What steps does the honourable minister propose to take in this matter and what directive is he planning to give to the representative of the Attorney General concerning similar occurrences in the future?

The Minister of Justice Y.S. Shapira:

My answer to the first question is:

- a The notice in the press as quoted in the question time is not correct
- b The court did not express its opinion whether the applicant is Karaite or Jewish, or if that which is written in the identity document is suitable to the real situation
- c The Haifa Regional Court gave two decisions concerning this matter. One on 5.12.1965 and the other on 17.1.1966

In the first case the court accepted the opinion of the representative of the Attorney General, that the court should not permit the marriage of a minor of sixteen years, even under special circumstances, unless there is proof presented by an authorised Religious Court, be it Rabbinic or Karaite, that this court will be prepared to perform the marriage after a licence has been obtained from the Regional Court. The court decision explicitly states that if the young man and the young woman have evidence that a Karaite or a Rabbinic court will be prepared to marry them if there is permission from the Regional Court, only then will the Regional Court reconsider the request to issue a permit.

After this the Haifa Rabbinic Court, on 10.1.1966, issued its decision, signed by Rabbis Kniel, Funk and Halevy, which authorised the marriage on condition that the same Rabbinic Court found a precedent from the Regional Court which permitted them to marry.

Based on this Rabbinic decision the Haifa Regional Court permitted the couple to marry.

As for the second question:

As stated, the representative of the Attorney General participated in this discussion and his opinion was as I have indicated above.

To question three:

From the above mentioned, the representative of the Attorney General did not take the position that a Karaite is not considered Jewish, and certainly there is no reason to deduce, not from this case nor in general, that the position of the Ministry of Justice is that a Karaite is not considered a Jew.

To the fourth question:

From my words it is clear that I do not wish to maintain a position different from the existing one, and taking into consideration the stand taken by the representative of the Attorney General, there is no need to give any further instructions in this matter.

31.5.1966 1570:45

Emma Talmi (Mapam):

We read in the pamphlet submitted to us— and this is the last problem to which I will refer—that there are in Israel about ten thousand Karaites. And it is written that the head of this community is also the head of their religious court and is authorised to record marriages of the members of the Jewish Karaites in Israel. Immediately one asks oneself: and who is authorised to arrange divorces? The author is silent. You further inquire: Does this mean that the Karaites are condemned to a Catholic marriage, with no possibility of divorce? And according to the following facts it is clear that this position is more severe than a Catholic marriage, because in a Catholic marriage somethings are clear and certain, but here chaos and uncertainty reign as to the position of men, the women and children.

About five years ago the Ministry of Religious Affairs issued to the council of Karaite Jews official forms to record both marriages and divorces. This was done once only, in order to make use of them, by mutual consent until a solution was found. The question is therefore asked: how many marriages and divorces were conducted during the following years on these forms which were sent out only once?

Do these documents have legal status? Or is there, at least, legal status to the divorce certificates which were registered by the head of the community on an official document and signed by the leaders of the Karaites? Will the divorce change the voters' role? Will the entry in the identity document be changed of those who

received their divorce by means of the official document of the Ministry of Religious Affairs? If the entry is not changed then there is an injustice done to those who are divorced, they remain married. If it is recorded, on grounds of a document that has no legal value, then here there is public deception. In both cases, clearly, someone is being led astray. One of the two sides is being led astray.

It became apparent that the single delivery of these forms were not used up, and we would not have known about this had there not been isolated cases which reached the court.

Here is one of these cases: Mr. Marzuk went to the Supreme Court against the Minister of Religious Affairs, to explain why validity was withheld from a divorce certificate granted on 13 Elul, 5725. Mr. Marzuk is a Karaite Jew and his spouse is a Karaite(tess). Here there was marriage within one community. And here the assistant attorney general, Mr. Zvi Tarlo, in the high court case 362/65, with power of attorney of the Minister of Religious Affairs, says:

"There is no doubt that the document which purports to be a divorce decree of the couple Marzuk has no legal status and the ministry did not intend to give it legal status according to any law". These things enraged the Karaite Jews. They upset every citizen of the State who understood what was going on here. If the ministry of Religious Affairs had no intention to extend legal status, then why did they issue the forms? Why did they not suggest another route? Everyone whose marriage or divorce was registered during those years on those selfsame forms, even if the divorce was by mutual consent, is their divorce legal? And the woman who was divorced asks herself: Am I not actually still, heaven forbid, his wife? And if she remarries what is the fate of her children? Notwithstanding the fine official document of the Ministry of Religious Affairs, are they not bastards?

Concerning the Divorce Certificate of Marzuk, the legal advisor established in a letter to the Ministry of Religious Affairs, dated 2.12.1965, "there will be no alteration in the citizen's registraton role based on the above document". If so we must ask: What is

the status of Sara Marzuk? She is not a divorcee, because the Minister of Religious Affairs has no authority to validate the divorce certificate or to instruct the cancellation of a divorce certificate. What is her personal status?

And similarly with all those whose affairs have not come to the courts and have not been aired.

Members of the Knesset, please note that I am protecting the rights of religious Jews to live according to their tradition and customs, who do not identify in all matters as accepted according to the Orthodox version. Regarding the secular(Jews)— the religious ritual usually stands as a conflict of conscience. With the Karaites it is also a matter of conscience and a matter of faith, which in religious tradition is different, and therefore you must show sensitivity. What will the law be regarding the Conservative and Reform Jews? MK Refael promised us from this podium, that they will be permitted to establish synagogues and all that they require. I wish to ask him and the Minister of Religious Affairs: Will marriage and divorce according to their custom be acceptable? And if so, howso?

Members of the Knesset, there was a time that both the Minister of Religious Affairs and also the Chief Rabbinate did not acknowledge the Karaite Jews as Jews, but on the 8th August, 1960, Mr. Haim Levi, secretary of the Karaite Jewish Community in Israel received a letter from the then Prime Minister of Israel, David ben Gurion, who wrote to them that "in his opinion, and that of the President of the State of Israel, and in the opinion of the Minister of Religious Affairs, you (the Karaite Jews) are recognised as the Karaite Jewish Community and you are not within the non-Jewish minorities".

I venture to assume that our intervention in the Knesset has contributed somewhat and the matters have started to move.

I conclude my words and demand that the Ministry of Religious Affairs come to clear-cut conclusions and does not wittingly introduce uncertainty into ten thousand citizens, who desire to live in our state in freedom and with the security that their marriages are marriages, that their divorces are divorces and that their children are legitimate.

One of the Karaite families who was executed by order of the authorities in Egypt, went to the gallows as a Jew, that is, he was condemned to die as a Jew. It is our duty to permit them also to live as Jews in all ways in their birthplace, in the State of Israel.

29.6.1966 1965:46

Reply of the Minister of Religious Affairs, Z. Warhaftig, to matters pertaining to the activities of his office.

MK Talmi spoke about the plight of the Karaites. This matter requires an answer.

Only this week I received a document.....

(interjection by MK S.Y. Gross)

I am not authorised to decide legal tradition. I am authorised by the Government to appoint a public inquiry to deal with this matter. Letters of appointment will be sent to the members this week. I believe that they will do good work.

It is correct that over the years I have hesitated to reach a radical solution in this matter. If this is a transgression, then I acknowledge my transgression. I have hesitated because perhaps I belong to those romantics who dream of repairing the damage. I am happy about the part which I had—together with the Chief Rabbinate, and mainly with the Rishon leZion (the Sephardi Chief Rabbi), Rabbi Nissim,

in the settling of the issue of the Bnei Yisrael. I regret if I have missed out on the issue of the unification of the Karaites. I thought it preferable that things would continue for a certain time, perhaps time would heighten the desire to unify and not the division. I did what I did in consultation with the late State President, Mr. Ben Zvi, who did much concerning this matter. To my regret, here the opposition increased. In this cauldron, political parties interfered, which to my regret reached the position that there was no desire to unite on the one hand, and on the other hand that of legal tradition, I do not wish to speak, as I am not authorised to do so.

These matters have reached the stage that there is the need to solve the problem of a certain number of members of the Karaite Jewish community. In order to do this a committee has been appointed to study the problem and to advise as to what may be done. The recommendations of this committee, which may require legislation, I will present before the Government and the Knesset. I wish to repeat and stress, that this committee will not concern itself with matters of the tradition of marriage between Karaites and Jews. It is not within its authority to be involved with matters of legal tradition, neither is the Minister of Religious Affairs authorised to do so. Neither is this the problem. The problem is the marriage and divorce of Karaites amongst themselves. This matter must be solved.

26.10.1966 126:47 (Question and Answer time)

Registration of the divorce of members of the Karaite Community.

MK Emma Talmi asked the Minister of Religious Affairs on 31.5.1966:

On 9 February, 1966, in answer to my question, the right honourable Minister said that the authority of the religious court of the Karaite Jews is under legal clarification in the Supreme Court.

I would thank the Minister if he could answer me:

1 Is it possible to pass judgment in a case which at the same time is *sub judice* and what was the judgment?

2 If the answer is negative— how do the relevant offices register cases of divorce of the Karaite Jewish community?

Minister of Religious Affairs, Z. Warhaftig:

1 Yes, on 14 March, 1966, the court ruling approved the agreement which was signed between the plaintiff and the Attorney General, in the name of the Ministry of Religious Affairs, in which it was determined not to change the registration of citizens on the strength of a divorce certificate issued by the Karaite religious council on behalf of one party only. The Supreme Court emphasized that this was not in its decision, but only its opinion, and thus the door was left open for Mrs. Marzuk to submit a petition to the Supreme Court against the Ministry of the Interior to change the registration in her favour. To this day Mrs. Marzuk has not submitted any petition to the Supreme Court.

2 In all the years of the State's existence there were in total about twenty cases of divorce amongst the Karaites and all were with the agreement of both parties. Since this decision there were no cases of divorce. In the interim a public committee has been appointed, headed by a Supreme Court judge, which will examine the legal status, in tradition and in reality, in matters of the personal status of the Karaite public, and will clarify the opinions and wishes prevailing in all sections of the Karaite public. And it will recommend on the legal and administrative steps to be taken in order to solve any problems that arise.

1.5.1967 1524:48

Changes to the entries about the Karaites in the school text book "History of the Jewish People".

Member of Knesset, S.Cohen-Zidon asked the Minister of Education and Culture on 1 February, 1967:

1 In the book, "History of the Jewish People", from the period of Islam to the American War of Independence, as edited by A & M Harpaz, text book for the seventh grade of the government schools, on page 61, it is said, inter alia, about the Karaites under the heading "The Karaites divide the house of Israel": A grave danger emerges from this movement and threatens the rich Jewish traditions which have been created over generations, and indeed the threat to the very existence of the people has grown....."

2 I have received requests from parents of students from the Karaite Jewish community, who see themselves as Jewish Israelis in all aspects, and in this request they are embittered that their children are forced, with their friends to hear in class that their sect presents a danger to the very existence of the nation.

Thus the honourable minister is requested to answer:

What steps have been taken to remove the above mentioned passages from the text book, in order that Israeli children of the Karaite community will have no feelings of inferiority or guilt and to prevent creating preconceived ideas against a section of the

citizens of Israel, who came to Israel as Jews and who have and are serving in the Israel Defense Forces, thus protecting the homeland and the nation.

Deputy Minister of Education and Culture, A. Yadlin:

In the book "History of the Jewish People" for the seventh grade, in the chapter "The Jewish Centre in Babylon" we find a paragraph on Anan ben David the founder of Karaism (p61) in which it is said: "A grave danger to Jewish tradition was imminent (past tense) from this movement ". Why has the questioner ignored another paragraph on the same page: "To the credit of the Karaites there is a very important aspect: Their great love of Zion. Their leaders called upon all of their followers to go up to Zion, thus there arose in Jerusalem and in Ramleh large Karaite communities, who mourned the destruction of the Temple and the land, and were known as the Mourners of Zion". And also that which is later written:

"With the establishment of the State of Israel many of the Karaites came to live in Israel. These Karaites regard themselves as an inseparable part of the Jewish people, and they are now asking, after having been estranged for so many generations, to return and be encompassed within the people. In Israel, Karaite villages have been established; Matzliah near Ramleh, and Ranen on the Beer Sheva–Gaza road.

Nevertheless, there may still be place to re-examine the wording of a few sentences in this paragraph, and the department which issues text books in my office will pay further attention to this edition and to its authors.

Let me use this opportunity to mention, that as far back as 19.6.1964, a decision was made at a management meeting of my office which says as follows: " Instructions given to authors of text books (especially history books) are, that when describing the Karaite community, both in the past and in the present, it must be stated that the

members of the Karaites in Israel are loyal and faithful citizens of the State, they serve in the army and fulfill all their obligations as citizens".

A further question of S.Cohen-Tzidon:

Has the Ministry of Education tried to instruct all the educators of Israel to emphasize in their lessons to thank the Karaite Jews, as one of their sons, (that is the heroic doctor, Dr. Moshe Marzuk), was hanged in Cairo twelve years ago, together with his colleague the heroic engineer Shmuel Azar (may their memory be blessed), because of their connections with the national movement of survival and their hopes to return to the homeland of their people. The overwhelming majority of the Karaite Jews of Egypt came to Israel and settled here as Jewish-Israeli citizens by the Law of Return.

Deputy Minister of Education and Culture, A. Yadlin:

Some elements, most certainly the important elements which are in this additional question, already appear in the text books. As to the question of additional and special teaching, it must be evaluated. I said that perhaps there is a need for a further examination of a few sentences of that paragraph, and at the same opportunity we will consider your suggestion.

30.5.1967 2290:49

Manner of registration of the Karaite Jews in the Voters' Roll

Member of Knesset S.Cohen-Tzidon asked the Minister of the Interior on 15.3.1967:

In the budget and other records of the government there is mention of Israeli citizens who arrived as Jews under the Law of Return, referring to them as "Karaites" in a way

that gives us to understand that they are a non-Jewish community (they appear at times together with Christians, Druze, Bedouins, Moslems and Samaritans).

The honourable Minister is requested:

1 Is this in fact correct?

2 If the answer to No1. is positive, I would like to know if steps have been taken to issue an instruction to all those responsible for the official publication that hence forth this group of Israeli citizens will be referred to as Karaite Jews, and not Karaites. This is in order to prevent any doubt of their belonging to the Jewish people.

Deputy Minister Y.ben Meir:

As to question 1: There have been cases where citizens about whom the question was asked, have been registered in the voters' roll as Karaite Jews or just as Karaites, all depending on the one who does the registering.

I have no statistics concerning publications which have not been carried out by my office.

As to question 2: On 28th June, 1966 the Government appointed a committee, headed by Justice Zilberg, in order to ascertain the personal legal status of the Karaites in Israel. This committee has, as yet, not concluded its deliberations.

Speaker E.Talmi: An additional question to MK Cohen-Tzidon.

Shlomo Cohen-Tzidon (Gahal):

Has there been a case where the Ministry of the Interior has initiated a request that an Israeli citizen, in whose possession was an Identity Document, brings this document in order that the Ministry of the Interior may amend it from "Jew" to "Karaites Jew" or to "Karaites"?

Deputy Minister Y ben Meir:

I do not know of such cases, all is according to the request of the person concerned, to be registered as Jew or Karaites.

2.8.1967 2834:49

Clarification concerning the marriage between Jews and Karaites.

Member of Knesset S. Cohen-Tzidon asked the Minister of Religious Affairs on 8th February, 1967:

Recently a Karaites Jewess requested to marry a Jew who has been regarded as a Jew in all aspects by the Chief Rabbinate of Israel. Also a Karaites Jew requested to marry a Jewess who was known as Jewish in all matters by the Chief Rabbinate.

The above couples met with rejection by the registrar of marriages at the Rabbinate. It thus appears that there is no possibility for a Karaites Jew to marry a Jewess who is not a Karaites or vice versa, as there is no authority which can register these marriages, even if the Karaites is willing to join the Jewish community as defined by the Chief Rabbi of Tel Aviv-Yaffo.

Thus it appears that the Karaites Jews who emigrated from Egypt by the rights of the Law of Return and who saw themselves as Jews in all matters (as has been

acknowledged by the most eminent researchers who emphasize that the yearning of the Karaite Jews for Zion and for national redemption of the people in its land, are inseparable parts of their tradition), and who are proud of the fact that one of their sons, the late Dr. Moshe Marzuk, was executed in Egypt, guilty of being a lover of Zion, are not allowed to marry with any Jew of their hearts' desire.

The honourable Minister is requested to answer me:

a. Is it correct that a Sergeant Major in the permanent service in the Israeli Defense Force, was about to marry his heart's choice. All was prepared, (the invitations, the venue etc.), when he received notification, about one week before the marriage ceremony, that the wedding was cancelled in light of the fact that he was a Karaite from Egypt?

b. What are the steps that have been taken by the Ministry of Religious Affairs or the Justice Department in order that an Israeli couple (a Karaite Jew and a non Karaite Jewess) who are in love and want to build a family in Israel, are able to do so without any obstacles whatsoever?

Minister of Religious Affairs, Z. Warhaftig:

The problem of marriage between Jews and Karaite Jews is a question of traditional law, and its clarification or solution can only stem from the traditional legal authorities.

4.3.1968 1264:51

Conclusions of the Committee of Justice Zilberg Concerning the Karaite Jews.

Member of Knesset S.Cohen-Tzidon asked of the Minister of Religious Affairs
on 1st February, 1968:

The honourable minister is requested to answer me:

- 1. Have the conclusions of the Zilberg Committee, which decided in the case of the Karaite Jews been published?**
- 2. What is the answer to question 1?**
- 3. Has the Department, which the honourable Minister heads, executed the committee's conclusions or part thereof?**
- 4. If the answer to question 3 is positive, what has been done to find a solution to the problems of the community who immigrated from Egypt under the Law of Return as Jews in all matters and who are called the Karaite Jews?**

The Minister of Religious Affairs, Z. Warhaftig:

As to question 1: The conclusions were given suitable publication in the daily press.

To question 2: See my answer to question 1.

To questions 3 and 4: My department compiled a proposed bill and have brought it for discussion to various bodies. After the receipt of their suggestions, I will present this to the Government.

Speaker Kadish Luz: A further question to MK Cohen-Tzidon.

Shlomo Cohen-Tzidon (Gahal):

Was there full publication of all the findings of the same committee?

Minister of Religious Affairs, Z. Warhaftig:

The report was submitted to the press, and they printed what they wanted to.

21.1 1969 1201:53

The Legal Status of the Karaite Rabbinic Court.

Member of Knesset, E.Talmi asked the Minister of Religious Affairs on 23.12.1968:

On 11 December, 1968 there appeared in the newspaper "Yediot Ahronot" an article titled "The Karaite Courts are authorised to solemnise marriages, but not to grant divorces". In the article it is written about a decision of divorce issued by the religious court of the Karaite community to cancel the marriage of a Karaite couple. The divorce was granted by the complaint of the husband on grounds of proof of lack of co-operation of the wife. The wife submitted a complaint to the Tel Aviv regional court to overturn this judgment, and Justice Shila invalidated it. He supported his decision with the fact that the Karaite court is not a court of a recognised community, and in any case there is no validity to its decrees of divorce. It is worthy to indicate that the couple was married by a Karaite court and there is no division as to the validity of this marriage.

It will be remembered that the honourable minister appointed, following a previous decision of this nature, a committee to examine the problems of marriage and divorce of the Karaite community, and the legal status of the religious court of the community. This committee has some time ago concluded its deliberations and has submitted its findings to the honourable minister. Concerning these I wish to know:

1. Are the facts as submitted in the above article correct?
2. What is the status of the Karaite religious court as seen by this department?
3. What steps have been taken by the minister to carry out the conclusions of this committee which was appointed by him?

The Minister of Religious Affairs, Z.Warhaftig:

As to question 1: The facts are basically correct.

As to question 2: The Ministry of Religious Affairs records divorces with the agreement and the control of the court of the Karaite Jewish community.

As to question 3: I appointed a committee to examine the personal status of the Karaite Jews, which was headed by Justice Dr. M. Zilberg, this included the honourable questioner, MK E.Talmi.
After a year the committee's conclusions were submitted to me, including both majority and minority opinions.

After perusal I prepared a bill of Judgment of the Karaite Religious Courts (Marriage and Divorce), and I sent it to the Minister of Justice in order to conclude a proposal, together with him, to present to the government. The Minister of Justice did not support me and informed me that in his opinion I should present the matter to the government, and this I will do.

16.12.1969 241:56

Execution of the recommendations concerning the status of the members of the Karaite community. Question and answer time.

Member of Knesset S. Cohen asked the Minister of Religious Affairs on 26.11.69:

According to the information available to me, there was an active committee, headed by the honourable Justice of the Supreme Court, Prof. Zilberg, which established that members of the Karaite community are Jews, and recommended to the Minister of Religious Affairs for the establishment of religious courts for the Karaite community.

In connection with this I request the Minister to answer me:

- 1. Are the above facts correct ?**
- 2. If they are correct, has a start been made in defining these regulations, and if so when will the above regulations be completed ?**

The Minister of Religious Affairs, Z.Warhaftig:

- 1. The facts are not correct, the committee did not recommend the establishing of regulations, but to introduce a bill.**
- 2. The Minister of Religious Affairs submitted to the Government a memorandum to introduce a bill. The proposal is on the agenda of the Ministerial Committee for Legislation.**

8.6.1970 2036:57

The arrangement concerning marriage and divorce amongst Karaites. Question and Answer time.

Member of Knesset, R.Arzi asked the Minister of Religious Affairs on 12.3.1970:

On 1st July, 1966 the honourable Minister appointed a public committee headed by Justice M. Zilberg to investigate the legal status regarding marriage and divorce amongst the Karaites.

Since this committee has some time ago concluded its deliberations and has submitted to the Minister its recommendations, I wish to know:

1. Which recommendations were accepted by the honourable Minister and which were rejected?
2. What steps were taken by his office to act upon the received recommendations?

The Minister of Religious Affairs, Z. Warhaftig:

1-2 On the basis of the recommendations of the public committee headed by Justice Zilberg, I presented to the government a bill –Jurisdiction of the Karaite Religious Courts (marriage and divorce), 1969. This bill is on the agenda of the Ministerial Committee for Legislation.

26.1.1971 1118:146

The Parliamentary Secretary, H. Lior:

With the permission of the Speaker, I am honoured to inform this house that today the following first reading was set on the Knesset table:

Law of judgment of the Courts of the Karaite Jews (marriage and divorce)-1971.

16.2.1971 1425:60

Law of Judgment of the Courts of the Karaite Jews (marriage and divorce) 1971.

First reading.

Speaker, Sh. Rosen:

We turn to paragraph 7 of the agenda, the House recognises the Minister of Religious Affairs.

The Minister of Religious Affairs, Z. Warhaftig:

Mr. Speaker, members of Knesset. I bring before you the proposal for the Law of Judgment of the Courts of the Karaite Jews (marriage and divorce), 1971.

The Ingathering of the Exiles which comes into reality in the State of Israel has brought with it a concentration of the community of Karaite Jews to Israel. The Karaite Jews came to Israel *en masse*. A few families, scattered here and there, remained in the diaspora. And the small Karaite community of the Soviet Union, those of the Crimea, eastern Galicia, and of Troki near Vilna, have, it seems disappeared or at least there is no contact with the remnants of them, if there are any. There are no statistics of the Karaite Jews. The Karaites fear a census because of the fear of the punishment received due to the census which King David arranged, (2 Samuel, 23). These are the estimates and the numbers which we have to hand, note that these are just estimates.

There are about six thousand souls, and this is their distribution :

Ashdod, (the most populous centre of the community)

600 families

Ramleh-Lod	400
Ofaqim	80
Beer Sheva	90
Akko	40
Moshav Ranan	68
Moshav Matzliah	55
Tel Aviv area	up to 100
Bet Shemesh	2 families

This gives a total of 1 500 families, about 6 000 souls, more or less.

I have been informed that the heads of the Karaite community are finding a way to hold a census with special consent of their Rabbis. Perhaps after this we will know the exact figures. The spiritual centre of the community is in Ramleh. Next to their centre is a large synagogue. Activities within the community are carried out by religious committees which are to be found in every Karaite area.

The Ministry of Religious Affairs has participated and assisted with the budgets of the community since they came to Israel. Those found in Israel today are all immigrants, mainly from Egypt. Before the establishment of the State there was only one family. The Ministry participates in financing the religious matters up to one third of the budget. The balance, i.e. two thirds, is made up, or should be made up, by the local authority, the local town council or the regional council.

This community is an ancient one, going back some 1200 years. According to the interpretation of the Karaite Jews they continue with a tradition that dates back to the Sadducees at the end of the Second Temple period, with their struggle against the Oral Law. They have an explicit tradition, different from that which crystallized with the rest of the Jewish people, in matters such as the Sabbath, *Yoreh-deah* and *Even Ezer* (two of the four sections of the *Shulhan Aruch* by Yosef Caro), ritual slaughter, matters concerning women and forbidden marriages. They have expanded the categories of incest and the laws of divorce. The community's calendar is different. The Karaites bless the new moon according to sighting and not by calculation as the Rabbinic *halakha* dictates. This is an ancient community, as I have said, with a well set tradition. Nevertheless, the Jewish people dream and yearn for more unity and oneness. But it appears that the hour is not yet at hand. The Karaite Jews do not want to mend the tear. Yet there is heard from time to time voices wanting unification, assimilation, but this is the opinion of a minority of the Karaite community. Also in the rabbinate there are great reservations.

The Public Commission, about which I will soon say something, listened to the Chief Rabbis. One approach is, that if the Karaite community, and not only the household

heads, were to decide on complete unification, perhaps a *halakhic* way would be found to achieve this. But, at present, we are far from this. Because of this great desire for unification, which cannot be, the Ministry did not hasten to overcome the problem from a legal point, due to the fear that this would widen the gulf. The Ministry of Religious Affairs searched for a practical solution and found an avenue to solve the problem of marriage in a way which would create no difficulties.

When the matter reached the High Court, the court found that the pragmatic solution of the Ministry of Religious Affairs was correct and withstood the test of reality. But the Ministry has not found a solution to the problem of divorce. For many years there were no cases of divorce within the community. Usually there are not many cases of divorce in the Karaite community. But when we came across a divorce case, and especially when there was no mutual consent, this matter caused friction within the community and the affair reached very complicated legal proceedings. It became clear that there is an urgent need to solve this matter.

On the 13th Tammuz 5726 (1st July, 1965), I established a Public Commission, headed by Professor Zilberg, a judge of the High Court, and acting president of the High Court.

This I did in order to clarify and to decide on these matters and to recommend a solution. This public commission concluded its work in 1967 and produced a substantial report of recommendations. I wish to take this opportunity to express my thanks to Professor Zilberg and members of this public commission—MK Benjamin Shachor, MK Yeshiyahu, MK Talmi, MK Hausner, Professor Haim ben Sasson, and the mayor of Beer Sheva, Eliyahu Noi. The public commission carried out important work, i.e. it investigated, heard many witnesses and reached conclusions. From this public commission there emerged three opinions within the Karaite community.

Some wanted the Karaite Jewish community to be a separate community, according to the law of establishing communities. Not long ago a few communities, such as the Druze community and others, were recognised. This opinion, it would seem, does not

include a majority of the Karaite Jews. A second opinion is one of favouring blending and hastening of complete assimilation within the Jewish people.

This opinion too, it would seem, is in favour of a balanced solution which is: a solution to the problem of marriage and divorce of the Karaite Jews, by means of establishing a Religious Court, a *Beth Din*, which would solve these problems according to the accepted *halakha* of the Karaite Jews. The majority of the commission accepted this position. There were also minority opinions. The report of the public commission is in front of you, and Members of Knesset can see the opinions of the majority and of the minority. The majority of the commission recommended to the Minister of Religious Affairs, (who appointed them), and to the government, (in whose name the minister appointed the commission), to solve the problem by passing a bill of " Law of Judgment of the Courts of the Karaite Jews, (marriage and divorce)".

We accepted this opinion. The government accepted the majority decision, with certain changes. This bill in front of you is the fruit of the same public commission. It comes as a continuation of the "Law of Judgment of the Courts of the Rabbanite Jews, (marriage and divorce)". The starting point is that the Karaite Jews are Jews, And because they are Jews there falls on them the Law of Judgment of the Courts of the Rabbanite Jews, with the authority of the Rabbanite court to pass judgment concerning their problems. But because the Karaites do not recognise the Rabbanite *halakha*, this amendment has been introduced, which gives them the possibility to establish a Karaite Jewish Religious Court which will judge matters where one of the parties does not want to be judged in a Rabbanite Religious Court. Suffice that if one party does not want to be judged there, then that case may be referred to the Karaite Jewish Religious Court. This court will have the authority parallel to the authority of the Rabbanite Religious Court.

I do not wish to enter into details of the bill. It is very short and you have it in front of you. I just want to add that with this law we wanted to solve certain practical

problems. One such practical problem is : to solve that which has been done up to now by the Karaite Religious Courts and to legalise that which has been done.

There was a recommendation of the Commission which the Government has not accepted. The Commission recommended that this law will be only for a definite limited period, and suggested a period of four years, with the assumption that during this period it will be seen how this is working, and how things will develop, and then it will be possible, perhaps, to deliberate again on the problem in toto.

The Government was satisfied that any sitting of the Knesset will be able to change the law, and therefore there is no need to include a clause regarding any period of time. This law can be accepted without such a clause, and if with the passage of time changes occur to the conditions and to the real situation, the Knesset can deliberate on the matter again.

In bringing this bill before you I know that the answer is by no means routine, but Jewish life is in no way routine. We have many complicated problems. Nevertheless I hope that this solution will work, and I present this bill with the hope that each part of the solution will eventually lead to the complete unification of the Jewish people, in the united Land of Israel and a united Torah.

Speaker, Sh Rosen: The debate of this bill is along non-party lines. The chair recognises MK Yeshayahu-Sharabi, and after him MK Klinghoffer.

MK Yisrael Yeshayahu-Sharabi (Labour- Mapam):

Mr. Speaker, Members of Knesset. With all the respect that I have for the Minister of Religious Affairs, my friend, and the effort he has made in presenting this bill, I cannot but express my regret, that in the twenty-third year of the State of Israel, a week after the birthday of the Knesset, we are about to pass a very special bill, which

will give the seal of approval, without reservation, to the historic separation of the Karaite Jews.

MK Mordehai Bibi (Labour-Mapam):

There is no time restriction according to this bill.

MK Y Yesheyahu-Sharabi (Labour-Mapam):

I say: In a restricted means. I did not mention a restriction of time.

It would have been better had there been no need for this bill, we would have been pleased had a way been found to break down the barriers and not to assist in their continuation.

The benefits that the Jewish people encountered, with the establishment of the State of Israel and the Ingathering of the Exiles into it, when the Karaite Jews were also gathered in and came to Israel together with the other "tribes of Israel", with the goal to live a full Jewish life within the state. This gave a non recurring opportunity to break down the barriers. Instead of the extreme stand against the Karaites we should have mended the rifts. But, as we were reminded by the minister, and after much lengthy deliberation, in which a large portion of the responsibility lay upon the Public Commission appointed by the minister, it is clear to me that the obstacles have not yet been removed.

On the one hand, the Rabbis of the State of Israel have not found an easy and honourable way to heal the wound, and I am not convinced that they made sufficient effort in order to find such a way; and on the other hand, a significant section of the Karaite Jewish community upheld their right of independence, in the area of personal rights, according to a *halakha* acceptable to them, which, in certain instances is more demanding than the *halakha* which is acceptable to us.

It has been pointed out, and the honourable minister himself said this, that a section of the Karaites desired to cancel all division between themselves and the remaining parts of the Jewish people, or at least to leave a way open.

After this comment permit me to point out the positive things of this bill, and the practical implications which stem from this. Firstly, this bill is intended to remove from us the disgrace, that some seven or eight thousand Jews live in the State of Israel without any legal personal status. Their marriages are not marriages, nor are their divorces, divorces. Their personal lives are without a legal basis and beyond the law. There is no legal authority by which to give them legal assistance which every other citizen of the State of Israel, be they Jew or non-Jew, is entitled to and able to receive.

Secondly, by this bill the Karaite community will be recognised as a Jewish community, they will be flesh and bone of the Jewish people, even if in personal matters there will be separate legislation. This bill, explicitly and emphatically, is for the Karaite Jews. In fact, in the first and in the last instance, it concerns Jews. In 1960 the first prime minister, Mr. David ben Gurion, wrote to them as follows: "I have spoken to the President (meaning President ben Zvi, of blessed memory), and this morning I met with the Minister of Religious Affairs (meaning Rabbi Toledano, of blessed memory), and it was agreed that you are recognised as the Karaite Jewish Community, and you are not within the sector of non-Jewish minorities". Now, this recognition receives the seal of law, and this is to be welcomed.

Thirdly, there is in this the basic recognition by the State of Israel that the unity of Jewish existence is a wide and all encompassing in which are included all the various streams, factions and sects, without exception, that they are all one people.

A famous hater of Israel gave a realistic picture—even if for evil purposes—of the Jewish people, when he said: "There is a certain people scattered and dispersed among the peoples in all the provinces of thy kingdom, and their laws are diverse from those of every people". (*Esther 3:8*)

This means that even if they were scattered in the lands of the exile, and there are divisions and disputes amongst them, and even if there exist various religious streams amongst them, notwithstanding all this, they are one people. They are one people. An example of this is the Karaite Jewish community.

The Karaite community, as the Minister has stated, has been in existence for some 1200 years; there are those who say even much longer. Even though relations between the Karaites and the other Jews in the European lands were bad, relations between the Karaites and the Rabbanites in Egypt were correct and harmonious for all those years.

Moreover, until the beginning of the twelfth century there were noted families of Rabbanite and Karaite Jews in Egypt who intermarried. They even found ways of including in the marriage contract to preserve coexistence in the lifestyle of the couple, which would not force one of them to compromise on custom or outlook. Would that it were that the Rabbinate would grasp this historic fact in order to try to advance unity in this direction.

The Karaites about whom we are now speaking are nearly all immigrants from Egypt. They departed from there as Jews and as Zionists. Dr. Marzuk, the Karaite, was executed together with his comrade, Shmuel Ezer the Rabbanite, both for their Judaism and their Zionism.

As with all their Jewish brethren the Karaites hoped for the redemption of Israel, and with the establishment of the state, they arose and immigrated to her. Today they are involved in the settlement programme and they have established a number of *Moshavim*. Their sons and their daughters study in state schools and religious state schools. They serve in the Israeli Defence Force and carry out their responsibilities as Jews and as citizens of Israel. And even if the Karaites claim their rights for

judicial self control in personal matters, they emphasize, in truth, their loyalty to the sacred principle of Jewish unity.

And now to other realities of this bill. Realities that have many lessons. Since the Knesset passed the bill into law of the Rabbinic religious courts (Marriage and Divorce) para 2, in which its states: " Marriage and divorce of Jews in Israel will be performed according to the law of the *Torah*". This is the first time that the Knesset is about to give a wider explanation of the concept "*Law of the Torah*", as in reality all law is considered to be such in the eyes of Jews, be they thus or thus, and not only as the interpretation of the Rabbis of the State of Israel. This wider interpretation is the first breakthrough in the first paragraph of the same law, which grants authority to Jewish jurisdiction in Rabbinic courts of law, in matters of marriage and divorce, for all the Jews in Israel. This breakthrough does not, nor will it endanger the existence or the status of the Rabbinic courts of law, as it will add to them, not diminish from them.

Furthermore it opens the way to separate the Rabbinic law courts, or some of them, from the complete dependence of the Chief Rabbinate.

And furthermore. At the public commission I suggested that the appointment of the *Dayanim* (religious judges) should include three from the Karaite community. But this law dictates a different way to the appointment of the Karaite Religious Court from that of the Rabbinic Religious Court. This means that the appointment will not be dependent on the office of the Chief Rabbi, but will be made by the Minister of Religious Affairs in consultation with the Supreme Religious Council of the Karaite Jews, which will also be required to be constituted by law, and in such matters will have parallel or similar authority to the Chief Rabbinate.

It is seen that from now on the composition of religious courts of law will be democratically structured, and in time, this is perhaps a sign and example of things to come. At present it is about the Karaite Jews. But it cannot be assumed that they

will remain the only exception from the legal domination that the Chief Rabbinate exerts. By this precedent the Reform Jews and perhaps also the Conservative Jews will demand that the exclusive jurisdiction of the orthodox Rabbinic courts of law will not be binding on them, and will demand their right to establish their own courts of law. And it is not unavoidable, that also other orthodox congregations, whether existing or still to be established, will demand for themselves separate and independent jurisdiction. But this is possible, even if I say so with great hesitation—

Minister of Religious Affairs, Z. Warhaftig:

This is your interpretation, not that of the Government.

MK Yisrael Yeshayahu-Sharabi (Labour-Mapam):

This is the reality of the bill. I am not expressing my desires. Nevertheless, with great hesitation I say that this is the way out of the quagmire of argument and conflict in religious matters. For example, the debate on conversion, which in recent times has been magnified. There is a severe storm against the hardening position of the Rabbinic Council concerning conversion.

It is possible, therefore, that if the State of Israel recognises the rights of every religious stream to self jurisdiction according to their own ways and wants—she (the State) will remove itself from the arena of religious argument and be released from the need to force *halakha* upon the Jewish citizens. The argument will however continue amongst Jews, as there have been arguments from time immemorial, but in time, the State will be separate and not participate in matters of a religious nature. The State will supply each stream with its portion of the budget of religious services, as it is required and able to do, and it will be at peace with all.

It has been for some time that the voices have risen which claim that the Knesset, which is a democratic secular house of lawmaking, should not legislate laws of religious or anti-religious significance. The State of Israel, as a state of law, should not be the custodian of preserving religious commandments and matters of faith. Nor should it be required to extend religious coercion into the hands of any religious body whatsoever, and even assuming that this religious body represents the majority of the people, for certainly it does not represent the whole nation. For as long as the state is not permitted nor entitled to stand in opposition while the extremists and zealots abuse the power by coercion which the state gives them, and they do with it as they please.

As for myself, it is close to my heart that the assertion of dividing the authority in matters of marriage and divorce of Jews will cause a schism of the people into two camps and with the passage of time members of these two groups will be unable to inter-marry. But from long experience and from delving into this problem I am now convinced without a shadow of doubt that this desired unity will not be established on a foundation of excesses and extremism which is increasing in the midst of the rabbis. Surprisingly, the extremists are those who endanger the religious unity of the people, and are capable of causing further rifts, moreso than any other cause.

To exacerbate the problem in recent times the rabbis have been competing amongst themselves as to "who shall ascend the mountain of the Lord?", that is, who will be the most extreme? This competition invites severe protest against the judicial religious exclusivity under the rule of the rabbinate.

As a result of this there will be an increase of the religious authorities of the various streams, which will claim their rights to religious jurisdiction of their own, and the state will not be able to withhold this right from them. Then these many authorities

will compete among themselves as to which one will pass more lenient judgment, in order to be accepted by the public.

The time has possibly come that the religious circles of faithful and pious Jews, who fear the forthcoming developments, will take the initiative and oust these extremists who have become so entrenched in recent years in the institutions of the rabbinate, and force them to establish separate religious institutions for themselves, as was the case of the *Neturei Karta*.

It is therefore our duty to learn a lesson from the mutual extremism which has been revealed in the matter concerning the Karaites. For they are not guilty alone, but also the institutions which the secular state has imposed on the religious life, for they too bide by the rule "let justice be done, though the heavens fall", (lit: let the law cut through the mountain), without considering the circumstances of the time nor the contribution of the times. These are neither able nor willing to give this matter of nurturing the process of Jewish unity a status of priority, even as according to *halakha*, as was done by the Sages of all generations who understood and said: "it is time for the Lord to work, they have made void Your law", (Ps 119:126). (lit: necessity knows no law).

Speaker, Sh Rosen:

The house recognises MK Klinghoffer, and after him MK Nehushtan.

Yitzhak H. Klinghoffer:

Mr. Speaker, Honourable Members. It is the tradition here in Israel that judgments and decisions of the Karaite Religious Court in matters of marriage and divorce have no legal standing. Thus, in a matter of legality, members of our people, the Karaites, are deprived of law in matters concerning their marriage and divorce. It is to be regretted that the Israeli legislature, during so much time, did not amend their

deplorable situation. But it is good that at least now, after a delay which in no way can be justified, we are about to give validity to the decisions which were reached till now in the Karaite Religious Courts.

This concerns the past, but what about the future?

In future matters of legislation in personal laws of the Karaites, the government suggested that the Minister of Religious Affairs will expand the activity of the Karaite Religious Courts, whose authority will include matters of marriage and divorce amongst Karaite Jews, if one of the couple requests this. This solution, and the minister indicated this is his opening remarks, is only a partial solution. It leaves the main part of the problem without an answer or a way out, just as they exist today.

And this leads to the following two questions:

Firstly, what about the possibility that a Karaite Jew requests to leave his community and join the Rabbanite Jews?

Secondly, what is the existing and the desired law if a Karaite Jew and a Rabbanite Jewess want to enter the covenant of marriage, or a Karaite Jewess and a Rabbanite Jew wish to marry?

Regarding the first question—the rabbis of our times, those in whose control is the religious legislation, maintain that a Karaite Jew cannot become a Rabbanite Jew. In their opinion the Karaites are bastards or alleged bastards, and neither they nor their offspring can enter the congregation of Israel. This conception, which gives authority to the Rabbis in matters of personal law of Jews, must be taken into account when dealing with any matter of personal status of the Karaite Jews. This is most earnest. It drives home a wedge between the two parties for eternity. Much is spoken of the necessity to break down the barriers which separate between the Rabbanite and Karaite Jews. But what is the method of achieving this national goal?

To tell the Karaites that there is only one choice between the two ways before them: either to be annexed as a complete unit, as was suggested by one of the chief rabbis

when he appeared before the Zilberg Commission, which in 1966 examined the existing legal status of the Karaites, or to remain outside the congregation of Israel for eternity, as they are classified as bastards.

APPENDIX TWO.

INFORMATION BROCHURE

translated by the author for the:

Religious Council, Universal Karaite Judaism,
PO Box 101, Ramleh, 72100, ISRAEL.
Cape Town, January, 1994.

Introduction.

Who are the Karaite Jews?

Inseparable Section of the Jewish People.

Special daily lifestyle.

Anan the Nasi did not establish a new sect or religion.

Religious Foundations.

Principles of Faith

The Synagogue, a Small Sanctuary.

The Festival of Weeks begins only on Sunday.

Hanukkah is not from the Torah.

Tefillin and Tzitzit (Phylacteries and Fringes).

The Obligation of Head Covering.

Milk and Meat.

Keeping the Laws of Slaughter and Kosher Meat.

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The Sanctity of the Sabbath.

Marriage.

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Descendant Lineage.

Defilement and Purification.

Prohibition of Prostration at the Graves of the Righteous.

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Fast Days.

The Contribution of our Sages.

The Respect due to Women.

In conclusion.

Looking forward.

WHO ARE THE KARAITE JEWS?

The Karaite Jews are Jews who are continuing the ways of the Children of Israel, who took upon themselves the perpetuation of the Commandments (Mitzvot) since the days of Moshe Rabbenu, peace be upon him. We believe in the Bible (Tanach), the Torah, the Prophets and the Writings; we do not accept the Mishnah and the Talmud as additional Divine Law from Sinai for the following reasons:

- 1. In the Torah it is written:**

Ye shall not add unto the Word which I command you, neither shall you diminish from it. (Deut.4:2)

And it came to pass, when Moses had made an end of writing the words of this law in a book, until they were finished. (Deut.31:24)

King David said: *The Law of the Lord is perfect, restoring the soul.*
(Ps.19:8)

And the last of the Prophets, Malachi, said:

***Remember ye the law of Moses my servant,
Which I commanded unto him in Horeb for all Israel,
Even statutes and ordinances.*** (Mal.3:22)

- 2. Nowhere in the Bible is there mention of an additional Torah being received, but it is emphasized that 'The law of the Lord is perfect'.**
- 3. Both the Palestinian and the Babylonian Talmuds include a great amount of legend, biblical interpretation, sermons, ethics and rhetoric, historical matter,**

laws of nature and creation, these being additions to the commandments as written in the Torah. This is a contradiction to the explicit instruction in the Torah:

*Ye shall not add unto the word which I command you,
neither shall ye diminish from it. (Deut 4:2)*

It is important to emphasize that in our opinion the Mishnah and Talmud are not Divine law but Rabbinic teaching, and we do not accept this contradiction to, and conflict with, the Torah.

AN INSEPARABLE SECTION OF THE JEWISH PEOPLE.

We the Karaite Jews are an inseparable part of the people of Israel, in the past, at present and in the future. During the long years of exile, our longing and yearning for Jerusalem and the Land of Israel did not cease. This was revealed in Piyutim (liturgical poems), prayers, literature, in song and in customs which express the magnitude of the pain caused by the exile and the destruction.

Rabbi Daniel al Qumisi, who lived about 100 years after Rabbi Anan ben David, was the first Zionist. In his letters (which were written in Hebrew) to his brothers living in exile, there was an emotional call to fulfill the resettlement of Jerusalem, where he himself was living, and was counted amongst the 'Mourners of Zion' (this was a group of Karaite Jews who lived in Jerusalem in the ninth century and who realised Zionism a thousand years prior to the fruition of the Zionist dream in our own time).

Today we are found all over Israel, in the settlements, in towns and in cities. We work

in all sections of the country, in agriculture, in industry and in science. We work in a variety of professions, all sections of the security forces (both covert and overt), in public service as workers and managers filling positions of trust. Many of us have received prizes for efficiency and excellence in work.

The young generation is carrying on the traditions of their fathers with vision and are an integral part of all the institutes of learning, from child care centres to the universities.

The feeling of unity and partnership in the destiny of the Jewish people exists as always. The best of our sons are amongst those sacrificed in the establishment of the State and maintaining its security. At their head was Dr. Marzuk, then one of the State's unknown soldiers, who was executed in Egypt. Tens of others gave their lives or their health for the sake of the nation.

We believed and continue to believe in the justice of our cause, notwithstanding our few numbers. For not at all times does the majority dictate the correct and true way, as it is written:

The Lord did not set His love upon you, nor choose you, because you were more in number than any other people-- for ye were the fewest of all peoples-- but because the Lord loved you, and because He would keep the oath which He swore unto your fathers.....
(Deut.7:7-8).

Thus it was with Abraham our father, unique among all nations, and Caleb ben Yefunneh and Joshua bin Nun of the Ten Spies, and all our forefathers who believed in the justice of their mission, in spite of being a minority amongst the nations of the world.

We are, as are other Jews, still scattered all over the world, especially in the USA, Canada, the former Soviet Union, Poland, Turkey and France.

SPECIAL DAILY LIFESTYLE.

Our religion and the special experience of our tradition are part of our day to day life. We organise activities for our children, youth and adults, during term-time and during holidays. Lessons, both on the Sabbath and special study days, sermons and lectures are part of our programme. These activities take place at private homes and at communal centres at Ramleh, Ashdod, Ofaqim, Bat Yam, Kiryat Gat, the moshavim of Ranen and Matzliah and other places where there are groups of our community.

ANAN THE NASI DID NOT ESTABLISH A NEW SECT OR RELIGION.

As it is indicated, the Karaite Jews believed and still believe that there exists only one Torah, that is the Torah written by Moses, and this is believed by many others of the people of Israel. Rabbi Anan ben David did not found a new faction or a new law, as was related by his opponents. But it was in the desire to continue in the accepted ways of the Torah, that he objected to the various additions and interpretations, which deviate from the true path of the Torah.

THE THREE-FOLD RELIGIOUS FOUNDATIONS OF KARAITIC JUDAISM.

- 1. The Written:**
All the written commandments in the Holy Torah,
both positive and negative.

2. By Analogy:

To suit the daily life of man and his actions to the spirit of the commandments as written in the Torah, without adding to them, or without diminishing from them, for example: *Cursed be he that maketh the blind to go astray in the way.....* (Deut. 27:18).

3. The Obligation of Inheritance:

Traditions or customs, such as Ritual Slaughter, Circumcision and Marriage continue from generation to generation . These commandments are written and the Torah does not elaborate on them.

PRINCIPLES OF FAITH.

Our Sages (of blessed memory) were the first to determine the ten principles which each and every Jew is obliged to accept:

1. To believe in the reality of God, that He is One and there is none like Him, as it is written: *Hear O Israel, the Lord is our God, the Lord is One.* (Deut. 6:4)
2. The Holy One, blessed be He, has no body, He is spiritual and has no physical form.
3. God alone created the earth from naught, by His wisdom, His customs and His grace. He was and will be forever.
4. Only to the Holy One, blessed be He, is the greatness, the power, the might, the victory, the majesty and the glory. Thus it is fitting to serve Him, to pray to Him and to fear Him, and no one else, as it is written: *Unless the Lord had been my help, my soul had soon dwelt in silence.* (Ps.94:17).

5. The Holy One, blessed be He, sent Moses, His faithful servant and he is the father of the Prophets, as it is written: *There has not arisen a Prophet in Israel like unto Moses, whom the Lord knew face to face.* (Deut. 34:10).
6. The Holy One, blessed be He, gave Moses the Torah of truth, which is in our possession today, and it is one and the only one, pure, everlasting, written in the holy language and will not be changed for eternity. It is forbidden to add thereto, or to diminish therefrom, and it is our duty to learn the holy language in order to understand the Torah and to keep its commandments.
7. The Holy One, blessed be He, sent Prophets of Truth and Righteousness as proof that He will not divert His attention from upon us, and that Elijah the Prophet will come to us speedily, before the great and awesome Day of Judgment.
8. The Holy One, blessed be He, knows the innermost thoughts of man and his deeds, and performs good to those who do good, and punishes the wicked, as it is written: *He rewards each according to his ways, and according to the fruit of his doings.* (Jer. 32:19).
9. To believe that the King, the Messiah, will come from the house of David, to be a Faithful Shepherd, to redeem Israel from her dispersion, to gather her in, and to rebuild the Temple.
10. To believe that at the End of Days the Lord will revive our dead.

THE SYNAGOGUE, A SMALL SANCTUARY.

The Synagogue plays a central and important part in our lives, due to the great sanctity which we attribute to it.

1. The Synagogue is divided into three main sections; the hall, the sanctuary (with the pulpit for the cantor) and the Holy of Holies which faces Jerusalem. The women's section is separated from the hall.

2. Entering the Synagogue is done only after the shoes are removed, as it is written:

Put off thy shoes from off thy feet,

for the place whereon thou standest is holy ground. (Exodus 3:5)

The floor of the Synagogue is carpeted, and there are no pews in order to facilitate all the conditions of prayer, which are: bowing, kneeling, prostrating, stretching forth of hands and palms, lifting up of eyes, or whatever form of expression is found in the Bible.

Because we enter a holy place, where man is in unity with his Creator, it is fitting and obligatory to conduct oneself accordingly, and not to enter with shoes which have trodden in polluted and defiled places.

It should be pointed out that removing of shoes at times of prayer is practiced in other congregations of Israel, such as those of Yemen, Iraq and India.

3. The Synagogue is considered a Small Sanctuary, and therefore all those who enter must be clean and pure in body and dress, free from all impurity.

The books of the Bible have been preserved over the generations by our forefathers, the Masorites, and by the devotion of the family of ben Asher, headed by Rabbi

Aaron ben Asher, the Karaite and Masorite, who cantillated and punctuated the Bible, who was later supported by the Rambam (Maimonides).

Most of our prayers are a dialogue between the cantor and the congregation, and consist, in the main of verses of the Bible, and of liturgical hymns, songs and blessings, which were composed by our Sages of blessed memory.

FESTIVALS AND ASSEMBLIES AT THEIR APPOINTED TIMES.

1. We, the Karaite Jews celebrate the festivals as has been done since ancient times in accordance with that written in the Torah. We sanctify the new months and festivals according to the lunar calendar. Our brethren, the Rabbanites have in some cases changed these sightings, thus sometimes our festivals do not coincide with theirs.

Some of these Rabbinic changes are: Passover does not start on the first, the fourth or the sixth day, similarly with Rosh Hashanah, whereas Yom Kippur does not fall on the first, the third or the sixth day of the week.

2. We are obliged to keep the festivals as appointed by God, and not for the convenience of man as determined by his spiritual or other whims, but at the appointed times, as it is written:

These are the appointed seasons of the Lord, even holy convocations, which ye shall proclaim their appointed season. (Leviticus 23:4)

This means appointed times of God, not of man.

THE FESTIVAL OF WEEKS (Shavuot), commences on a Sunday.

Regarding the counting of the Omer it is written in the Torah: *And ye shall count unto you from the morrow after the day of rest (the Sabbath)..... (Leviticus 23:15)*

After the Sabbath is always the first day of the week, Sunday.

The text says 'the Sabbath' with the definite article, which indicates a known thing.

The Sabbath is known to all of us, as it is written: 'Remember the Sabbath Day to keep it holy'. If the intention of the text was to a day other than the Sabbath it would have been mentioned. Thus the counting of the Omer always starts on the first day of the week (Sunday), for that is the day on the morrow of the Sabbath as mentioned above in the quotation from Leviticus 23:15.

The Torah does not appoint a fixed date for the Festival of Weeks, but commands us on the counting of the Omer. Thus the counting of the Omer also ends on the first day of the week, after the seventh Sabbath, as it is written in the Torah: *Even unto the morrow after the seventh Sabbath shall ye number fifty days.* (Leviticus 23:16)

HANUKAH IS NOT IN THE TORAH.

We do not celebrate the festival of Hanukah for the following reasons:

1. The festival is not mentioned in the Bible.
2. The first and second Temples were destroyed and thus we mourn and fast.

How is it possible to rededicate the Temple, to celebrate and rejoice, while they are still destroyed?

We are forbidden to say: 'Blessed.....who has sanctified us with His commandments and commanded us to kindle the light of Hanukah'. Where did the Holy One, blessed be He, command us this commandment? For we know of no such commandment in the Torah.

TEFILLIN AND TZITZIT.

We do not lay Tefillin but do observe the commandment of Tzitzit on the four corners. The Rabbis interpreted the verse: *And thou shall bind them for a sign upon thy hand, and they shall be for frontlets between thy eyes. And thou shalt write them upon the doorposts of thy house and upon thy gates* (Deut 6:8), as something tangible .

We interpret this 'binding' as repeating and teaching the laws of the Torah with all our hearts, to be forever in our sight and as acts of goodness of our hands.

Below is evidence that the intention is only metaphoric:

His soul is bound up with the lad's soul. (Gen 44:30).

And these words.....shall be upon thy heart. (Deut 6:6)

Circumcise therefore the foreskin of your heart, and be no more stiff-necked.

(Deut 10:16)

Bind them upon thy fingers, write them upon the table of thy heart.(Proverbs 7:3).

There are many other examples which testify that 'Binding" is only symbolic.

The Tzitziyot (fringes) are made of choicest yarns of silk or wool twisted with blue threads, the remainder being white, as it is written: ***Make them fringes in the corners of their garments throughout their generations, and that they put with the fringe of each corner a thread of blue. (Num 15:38).***

This is different to the fringes made by our Rabbanite brethren which are made of white threads only.

THE OBLIGATION OF HEAD COVERING.

This requirement is learned from the analogy that the priest dons the headdress when sacrificing. Even though sacrifices have been discontinued alternate prayers oblige the worshippers to cover their heads when blessing, reading holy books or when performing religious ceremonies.

MILK AND MEAT.

The verse: ***Thou shalt not seeth a kid in its mother's milk, (Ex 23:19),*** appears three times in the Torah, in the same form without any variation. We perform this commandment as it is written, that it is forbidden to eat a kid or a lamb prepared in its mother's milk. This prohibition does not include all meat and milk.

Our Rabbinate brethren are especially strict regarding meat and milk. They set stringent limits, including the prohibition of eating milk products with chicken, and they insist on different sets of utensils and even sinks.

We strictly observe the above verses as they were written.

RITUAL SLAUGHTER AND KOSHER MEAT.

We strictly observe the laws of Shehita (ritual slaughter) and Kashrut:

- 1. We slaughter only those kosher animals which the Torah permits.**
- 2. We forbid the slaughter of kosher animals which are ill, dying, disfigured or injured, or are not yet seven days old.**
- 3. We forbid the slaughter of animals and their off-spring on the same day,
Ye shall not kill a cow or an ewe and its young on one day (Lev 22:28).
Thus we do not slaughter even a pregnant animal.**
- 4. We forbid the eating of the flesh of animals hunted by wild beast or by man and thus we forbid the eating of carrion.**
- 5. We scrutinize the slaughterer's knife and insist on severing the windpipe, the gullet and the two veins with great speed (this applies to beast and fowl), in order to extract the maximum of blood as quickly as possible to alleviate excessive pain.**
- 6. We do not allow the eating of fat, including the tail fat.
*Ye shall eat neither fat nor blood. (Lev 3:17)***
- 7. We forbid the eating of the thigh sinew, as it is written: *Therefore the children of Israel eat not the sinew of the thigh vein which is upon the hollow of the thigh, unto this day. (Gen 32:33).***

8. We drain all the blood from the meat. Initially we remove all the blood vessels such as veins and arteries. The meat is then washed well and salted for about 3/4 of an hour. Afterwards it is rinsed till there is no trace of blood. During cooking we skim off all the fat.

CIRCUMCISION

And on the eighth day the flesh of his foreskin shall be circumcised. (Lev 12:3).

In principle the circumcision is carried out on the eighth day even if it falls on a Sabbath or holy-day. The child must be healthy.

THE SANCTITY OF THE SABBATH.

The Torah forbids us to work on the Sabbath, as it is written: *Thou shalt not do any manner of work, thou nor thy son, nor thy daughter, nor thy man-servant, nor thy maid-servant nor thy cattle, nor the stranger that is within thy gates. (Exodus 20:10).*

Our Sages permitted eating hot food which was put into a suitable container to keep it hot (such as, nowadays, a vacuum flask). However it is forbidden to actively heat the food or to keep it hot by means of a flame or an electrical appliance.

We have adapted foods to be eaten without heating and this has not affected their taste. In contrast the Rabbis permitted the preparation of fire on the Sabbath eve. In addition they also allowed the transferring of possessions from house to house even via public domain, by the introduction of the Erub.

Our Rabbinic brethren interpret 'Delight of the Sabbath' as approval of physical pleasures and declare it a Mitzvah to conduct marital relations on the Sabbath. We forbid this as this is based on the following:

1. This matter is considered as work on the Sabbath. This is regarded as ploughing and sowing, as it is written: *Six days shalt thou work, but on the seventh day thou shalt rest. (Exodus 34:21).*
2. Sanctification of the Sabbath obliges man to be pure, as it is written: *The woman also with whom a man shall lie carnally, they both shall bathe themselves in water and be unclean until the evening. (Leviticus 15:18).*

Thus at the revelation at Mount Sinai the Children of Israel were requested not to come near to their wives, in order that they may be pure, and the Sabbath is to serve the Creator, for prayer and for spiritual delights, as it is written:

Then shalt thou delight thyself in the Lord. (Isaiah 58:14).

MARRIAGE.

Marriage is validated by the following three conditions: dowry, contract and marital relations. This is opposed to our Rabbinic brethren who have determined that carrying out only one of these three is sufficient.

INCESTUOUS MARRIAGE

One of the most rigid prohibitions in the Torah is that of incestuous marriages, that is forbidding contact in order to have sexual relations between certain family members and by analogy that which stems from this. It is written that marriage with the father's sister, or with the mother's sister is forbidden. Thus it is clearly understood that a girl is not permitted to marry her father's brother or her mother's brother, that is neither her paternal nor maternal uncles. Our Rabbinic brethren permit this thus contradicting the Torah.

DIVORCE

We, the Karaite Jews and also the House of Shammai are of the same opinion that a man shall not divorce his wife against her will, unless some sexual deviation is found such as betrayal or prostitution, as it is said: *because there is found in her*

some unseemly thing. (Deut 24:1)

Amongst us the woman is at liberty to request a divorce if presenting just causes, and even if her husband refuses to grant a Bill of Divorce, the Beth Din is able to grant her this bill.

We oppose the view of the House of Hillel who strengthens the interpretation of the verse in Deuteronomy 24:1 above.

Furthermore we do not accept the opinion of Rabbi Akiba: "Even if he finds another more pleasing than her, he is allowed to divorce her", as it is said: *And it comes to pass that she finds no favour in his eyes. (Deut 24:1)*

DESCENDANT LINEAGE

The lineage is always via the father, as is written: *And those that were numbered of the family of Merari, by their families, by their father's houses. (Num 4:42).*

And furthermore it is written:

In order that no common man, that is not from the seed of Aaron, (Num 17:5).

This differs from the Rabbinic tradition which states that a Jew is one born of a Jewish mother and the religion of the father is not important.

DEFILEMENT AND PURIFICATION

We endeavor to fulfill the laws regarding defilement and purification in accordance with the Torah, even though the Temple has been destroyed, as our Sages have said: 'If you do not desire that which you eat, eat that which you desire'. Thus we are cautioned not to be defiled, and if man is defiled, it is up to him to observe the laws and commandments concerning these things according to the limitations and prohibitions in the Torah, such as:

- 1. The impurity of the dead is the most severe kind of defilement, against which the Torah cautions us: *And whosoever In the open field toucheth one***

that is slain with the sword, or one that dieth of himself, or a bone of a man, or a grave, shall be unclean for seven days, (Num 19:16).

Thus we avoid contact with the dead or with graves.

2. Woman's impurity during the menstrual period, as it is written in the Torah:

And if a woman has an issue, and her issue in her flesh be blood, she shall be in her impurity seven days, and whosoever touches her shall be unclean until the evening.

And everything that she lieth upon in her impurity shall be unclean, everything that she also sitteth upon shall be unclean.

And whosoever touches her bed shall wash his clothes and bathe himself in water, and be unclean until the even. (Lev 15:19-21).

In addition it is written in the Torah:

And if a woman has an issue of her blood not in the time of her impurity, or if she has an issue beyond the time of her impurity; all the days of the issue of her uncleanness shall be as in the days of her impurity. (Lev 15:25).

3. Defilement due to nocturnal pollution, and purification after every emission of seed, as it is written in the Torah:

And if the flow of seed go out from a man, then he shall bathe all his flesh in water, and be unclean until the evening. And every garment, and every skin, whereon is the flow of seed, shall be washed with water, and be unclean until the evening. (Lev 15:16-17).

4. Defilement caused by contact with carcasses of animals, beasts, fowl or crawling things, as it is written:

For I am the Lord your God; sanctify yourselves therefore, and be ye holy;

for I am holy; neither shall ye defile yourselves with any manner of swarming thing that moveth upon the earth. For I am the Lord that brought you out of the land of Egypt, to be your God; Ye shall therefore be holy, for I am holy. (Lev 11:44-45).

PROHIBITION OF PROSTRATING AT THE GRAVES OF THE RIGHTEOUS.

Our Sages, of blessed memory, severely criticised the practice of idolatrous worship which is practised by some sections of the people of Israel. They visit and encamp at the graves of the righteous, and pray and beseech of the dead to heal their sickness and pain. Barren women are known to pray to achieve fertility.

All acts of witchcraft and all other miracles performed by man contradict the Torah:

Put not your trust in princes, nor in the son of man, in whom there is no help.

His breath goeth forth, he returneth to his dust; in that very day his thoughts perish.

(Psalm 146:3-4)

Thus, man is obliged to put his trust in the Holy One, blessed be He, and not in man, alive or dead.

PURIFICATION BY MEANS OF IMMERSION IN PURE WATERS.

Purification of man is done by means of running water, and not in the ritual bath as dictated by our Rabbinic brethren, as the Miqveh is not mentioned in the Torah. It is not feasible that defiled men enter stagnant, or near stagnant water, and will be considered pure, and that these waters may then purify others.

FAST DAYS AS PRESCRIBED BY BIBLICAL EVENTS.

	Karaitic Fast	Rabbinic Fast
1.	10th Tevet	10th Tevet
2.	9th Tamuz (<i>Then a breach was made in the city.</i> (Kings II 25:3)	17th Tamuz (this fast is not mentioned in the Bible.

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|---|---|
| <p>3. 7th and 10th Av, burning of the Temple (Jer 52:12; Kings II 25:8)</p> | <p>9th Av, burning of the Temple</p> |
| <p>4. 24th Tishre, confession of remorse and covenant after the 70 years of exile (Neh 9:1)</p> | <p>3rd Tishre, assassination of Gedalia</p> |

THE CONTRIBUTION OF OUR SAGES TO THE PEOPLE AND TO MANKIND.

The contribution of our Sages is part of the existence and observance of the foundations of our faith and our spiritual and cultural development, such as in the following instances:

1. The preservation of the Bible as it is written, and the safe-keeping of the Hebrew language, the grammar and its special flavour. The ben Asher family, the Karaite Masorites were active in Tiberias in the eighth century CE. Especially our Rabbi Aaron ben Asher who contributed greatly to the Tiberian grammar and to Biblical tradition. The Rambam (Maimonides) acknowledged and adopted ben Asher's teachings.

Our Rabbi ben Asher compiled the book, *Dikduke ha-Te'amim*, a collection of rules and tradition, covering phonology, process of pronunciation, places of articulation, the punctuation of the letters *Aleph, He, Het, 'Ayin*, the letters *Bet, Gimel, Dalet, Chaf, Fe* and *Tav*, both strong and weak, the double pronunciation of the letter *Resh*, cantillation of the Torah, and the rules of the mobile *Sheva*.

Thus did our Rabbi ben Asher, the philologist and Masorite, leave his mark on the Hebrew language.
2. The enrichment of literature with liturgical poems, songs and rhetoric.
3. The Karaites were among the first grammarians who researched Biblical Aramaic in comparison to the Hebrew language.

4. **Authors of medical books and famous doctors to Kings and Rulers.**
5. **Philosophers and authors of philosophical works.**
6. **Amongst the first to postulate that matter is made of atoms was our Rabbi Yosef the Seer. He called them 'small particles' and believed that the links between these particles were made by the Creator. The atoms were not entrapped by themselves, but by the will of God, and the position of the molecules are not at random but controlled by the Lord.**
7. **Our Rabbi, Joseph Hadassi, one of the first authors of the principle of faith wrote his book of poetry *Eshkol Hakofer* in the 12th century, CE. In this treatise of tradition and meditation he crystallised the Ten Principles of Faith, which are considered to this day to be the basis of Karaite and Rabbinic Judaism. It should be noted that this book, written in 1148 CE, preceded the Principles of Faith of the Rambam (Maimonides), who then was only thirteen years old.**

THE RESPECT DUE TO WOMAN.

The Bible places much attention to woman and her rights. Many are the verses which glorify her, and many achieved greatness by their wisdom and their valour.

Our Sages imbued with tradition expressed their positive attitude in Halakhic and other writings.

We do not pray: 'blessed for not making me a woman', for did not the Holy One create both man and woman?

Karaite Jews, both men and women recite the blessing: 'Blessed be the perfect Creator, in whose image is mankind, thou worm of Jacob' (based on Isaiah 41:14).

IN CONCLUSION

We, the Karaite Jews are an inseparable part of the People of Israel, and identify with the feeling of unity and our common destiny exists as always, as commanded in the Torah and the words of the Prophets. This is the basis for our existence since Moses and for all eternity.

Even if, in the course of history, we have had our ups and downs and we have had divergence of opinion, yet we have the unwavering sources and foundations upon which we succor and remain steadfast.

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HUC Hebrew Union College

JPSA Jewish Publication Society of America

JQR Jewish Quarterly Review

TAUP Tel Aviv University Press

UAHC Union of American Hebrew Congregations

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